

By: Curry

H.B. No. 2984

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a rebuttable presumption that a person is intoxicated
3 based on an alcohol concentration level analysis.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 49, Penal Code, is amended by adding
6 Section 49.015 to read as follows:

7 Sec. 49.015. REBUTTABLE PRESUMPTION OF INTOXICATION. In a
8 prosecution for an offense under this chapter, there is a
9 rebuttable presumption that a person was intoxicated at the time of
10 the offense if it is shown on the trial of the offense that an
11 analysis of a specimen of the person's blood, breath, or urine
12 showed an alcohol concentration level of 0.08 or more at the time
13 the analysis was performed.

14 SECTION 2. Section 49.015, Penal Code, as added by this Act,
15 applies only to an offense committed on or after the effective date
16 of this Act. An offense committed before the effective date of this
17 Act is governed by the law in effect on the date the offense was
18 committed, and the former law is continued in effect for that
19 purpose. For purposes of this section, an offense was committed
20 before the effective date of this Act if any element of the offense
21 occurred before that date.

22 SECTION 3. This Act takes effect September 1, 2025.