

BILL ANALYSIS

Senate Research Center
78R13418 KCR-D

C.S.S.B. 1835
By: Staples
Criminal Justice
4/25/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Current law requires a person who, in the commission of a felony offense, assaults an arresting officer, causing the officer to come into contact with bodily fluid, to submit to testing for a communicable disease. C.S.S.B. 1835 amends the Code of Criminal Procedure to require a person who is being arrested for a felony or misdemeanor offense and who causes an arresting peace officer to come into contact with bodily fluid to submit to testing for a communicable disease.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 18.22(a), Code of Criminal Procedure, to require a person who is arrested for a misdemeanor or felony offense and who during the commission of that offense or an arrest following the commission of that offense causes a peace officer to come into contact with the person's bodily fluids to, at the direction of the court having jurisdiction over the arrested person, undergo a medical procedure or test designed to show or help show whether the person has a communicable disease.

SECTION 2. Effective date: September 1, 2003.