

- SUBJECT:** Allowing certain search warrants to be executed in adjacent counties
- COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended
- VOTE:** 9 ayes — Nevárez, Paul, Burns, Calanni, Clardy, Goodwin, Israel, Lang, Tinderholt
- 0 nays
- WITNESSES:** For — Brian England and Shawn Roten, City of Garland; (*Registered, but did not testify*: Joseph Chacon and Justin Newsom, Austin Police Department; Chris Jones, Combined Law Enforcement Associations of Texas; Jim Allison, County Judges and Commissioners Association of Texas; David Sinclair, Game Warden Peace Officers Association; Monty Wynn, Texas Municipal League)
- Against — None
- On — (*Registered, but did not testify*: Cody Jones, Texas Parks and Wildlife Department Law Enforcement Division; David Palmer, Texas Department of Public Safety)
- BACKGROUND:** Some suggest the current process law enforcement officers must use while executing a search warrant to obtain a blood draw for certain intoxication offenses outside their jurisdiction is cumbersome and poses problems for those communities whose closest hospital is in another county.
- DIGEST:** CSHB 1355 would allow certain search warrants to be executed in any county adjacent to the county in which it was issued and by any law enforcement officer authorized to make an arrest in the county of execution.
- The bill would apply to a search warrant issued to collect a blood specimen from a person suspected of committing the following intoxication offenses under Penal Code ch. 49:

- driving, flying, or boating while intoxicated;
- driving while intoxicated with child passenger;
- assembling or operating an amusement ride while intoxicated;
- intoxication assault; and
- intoxication manslaughter.

The bill would take effect September 1, 2019, and would apply only to a search warrant issued on or after that date.