

By: Dutton

H.B. No. 324

Substitute the following for H.B. No. 324:

By: Phillips

C.S.H.B. No. 324

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a requirement that a peace officer obtain a search
3 warrant before conducting a body cavity search during a traffic
4 stop.

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

6 SECTION 1. Chapter 18, Code of Criminal Procedure, is
7 amended by adding Article 18.24 to read as follows:

8 Art. 18.24. BODY CAVITY SEARCH DURING TRAFFIC STOP. (a) In
9 this article, "body cavity search" means an inspection that is
10 conducted of a person's anal or vaginal cavity in any manner.

11 (b) Notwithstanding any other law, a peace officer may not
12 conduct a body cavity search of a person during a traffic stop
13 unless the officer first obtains a search warrant pursuant to this
14 chapter authorizing the body cavity search.

15 SECTION 2. This Act takes effect September 1, 2015.