DIGEST

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Seabaugh HB No. 119

Abstract: Provides that only "authorized persons" may execute search warrants for certain bodily samples and provides civil and criminal immunity for those persons drawing the bodily samples.

Present law provides that a judge may issue a search warrant authorizing the search of a person for bodily samples to obtain DNA or other bodily samples, and provides that such warrant may be executed any place the person is found.

Proposed law amends present law to provide that such search warrants may also be executed at the location of the person authorized to draw the bodily sample, and further provides that when the sample to be drawn is a blood sample, the sample shall only be drawn by an authorized person.

Proposed law defines "authorized person".

Proposed law provides immunity from civil or criminal liability for any person who draws any bodily sample pursuant to the provisions of proposed law, and also provides this immunity for any hospital or entity with which the person drawing the sample is employed or is otherwise associated.

(Amends C.Cr.P. Art. 163.1(B); Adds C.Cr.P. Art. 163.1(D))