

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 367</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Rep. Kannady</b>
<b>Date:</b>	<b>4/14/2021</b>
<b>Impact:</b>	<b>DPS: \$0</b>

**Research Analysis**

SB 367 authorizes Intermediate Emergency Medical Technicians, Advanced Emergency Medical Technicians, or paramedics to withdraw blood for the purpose of testing a person's blood alcohol content. The measure also removes tests involving a person's breath, saliva, or urine from the list of tests whose costs are borne by law enforcement. Additionally, the measure outlines standards for any breathalyzer test to be considered admissible as evidence in court proceedings. Such tests must use a device that is accredited by the U.S. Department of Transportation in the Federal Register and calibrated by a device from a list of approved devices published by the U.S. Department of Transportation. The test must also be administered by a person properly licensed by the Board of Tests for Alcohol and Drug Influence. The measure provides that analysis of a person's blood to be considered valid and admissible in evidence must be performed by a properly accredited laboratory.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The measure modifies the process for blood alcohol content testing.

Upon review and with consultation from the Department of Public Safety, no direct impact to state revenues or expenditures is anticipated from passage of the measure.

Prepared By: Clayton Mayfield

**Other Considerations**

None.