

By: Huffman

S.B. No. 1601

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a duty for peace officers to intervene and make a report  
3 when a peace officer uses excessive force.

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

5 SECTION 1. Chapter 2, Code of Criminal Procedure, is  
6 amended by adding Article 2.1387 to read as follows:

7 Art. 2.1387. INTERVENTION REQUIRED FOR EXCESSIVE FORCE;  
8 REPORT REQUIRED. (a) A peace officer has a duty to intervene to  
9 stop or prevent another peace officer from using force against a  
10 person suspected of committing an offense if the amount of force  
11 exceeds that which is reasonable under the circumstances.

12 (b) A peace officer who witnesses the use of excessive force  
13 by another peace officer shall promptly make a detailed report of  
14 the incident and deliver the report to the supervisor of the peace  
15 officer making the report.

16 SECTION 2. This Act takes effect September 1, 2021.