

By: Wu

H.B. No. 2319

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to disciplinary action against a peace officer by the  
3 Texas Commission on Law Enforcement for failure to cooperate with  
4 an investigation by a law enforcement agency.

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

6 SECTION 1. Subchapter K, Chapter 1701, Occupations Code, is  
7 amended by adding Section 1701.5015 to read as follows:

8 Sec. 1701.5015. FAILURE TO COOPERATE WITH INVESTIGATION BY  
9 LAW ENFORCEMENT AGENCY. (a) Except as provided by Subsection (b),  
10 the commission shall suspend or revoke the license of a peace  
11 officer who fails to cooperate, including by submitting to an  
12 interview, with a law enforcement agency during an investigation by  
13 the agency.

14 (b) A peace officer's license may not be suspended or  
15 revoked under this section solely on the grounds that the peace  
16 officer invoked the officer's right against self-incrimination  
17 under the United States Constitution or the Texas Constitution.

18 (c) The commission shall adopt rules to implement this  
19 section.

20 SECTION 2. As soon as practicable after the effective date  
21 of this Act, the Texas Commission on Law Enforcement shall adopt the  
22 rules required by Section 1701.5015, Occupations Code, as added by  
23 this Act.

24 SECTION 3. Section 1701.5015, Occupations Code, as added by

1 this Act, applies only to conduct that occurs on or after the  
2 effective date of this Act. Conduct that occurs before the  
3 effective date of this Act is governed by the law in effect on the  
4 date the conduct occurred, and the former law is continued in effect  
5 for that purpose.

6 SECTION 4. This Act takes effect September 1, 2023.