

Amend CSHB 3389 (house committee printing) by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Article 2.132(b), Code of Criminal Procedure, is amended to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the Commission on Law Enforcement Officer Standards and Education, and if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency, an annual report of the information collected under Subdivision (6) [~~if the agency is an agency of a county, municipality, or other political subdivision of the state~~].

SECTION \_\_\_\_\_. Article 2.134(b), Code of Criminal Procedure, is amended to read as follows:

(b) A law enforcement agency shall compile and analyze the

information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each ~~[local]~~ law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education, and if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency ~~[in a manner approved by the agency]~~.

SECTION \_\_\_\_\_. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.163 to read as follows:

Sec. 1701.163. COLLECTION OF INFORMATION REGARDING RACIAL PROFILING. The commission shall collect and maintain information submitted to the commission under Article 2.134, Code of Criminal Procedure.

SECTION \_\_\_\_\_. Articles 2.132(b) and 2.134(b), Code of Criminal Procedure, as amended by this Act, apply only to a report submitted by a law enforcement agency to the Commission on Law Enforcement Officer Standards and Education or to the governing body of the applicable political subdivision on or after the effective date of this Act. A report submitted before the effective date of this Act is governed by the law in effect when the report was submitted, and that law is continued in effect for that purpose.