

AN ACT

relating to reporting requirements for certain injuries or deaths caused by peace officers and for certain injuries or deaths of peace officers.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.139 and 2.1395 to read as follows:

Art. 2.139. REPORTS REQUIRED FOR OFFICER-INVOLVED INJURIES OR DEATHS. (a) In this article:

(1) "Deadly weapon" means:

(A) a firearm or any object manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury; or

(B) any object that in the manner of its use or intended use is capable of causing death or serious bodily injury.

(2) "Officer-involved injury or death" means an incident during which a peace officer discharges a firearm causing injury or death to another.

(b) The office of the attorney general by rule shall create a written and electronic form for the reporting by law enforcement agencies of an officer-involved injury or death. The form must include spaces to report only the following information:

(1) the date on which the incident occurred;

(2) the location where the incident occurred;

1 (3) the age, gender, and race or ethnicity of each
2 peace officer involved in the incident;

3 (4) if known, the age, gender, and race or ethnicity of
4 each injured or deceased person involved in the incident;

5 (5) whether the person was injured or died as a result
6 of the incident;

7 (6) whether each injured or deceased person used,
8 exhibited, or was carrying a deadly weapon during the incident;

9 (7) whether each peace officer involved in the
10 incident was on duty during the incident;

11 (8) whether each peace officer involved in the
12 incident was responding to an emergency call or a request for
13 assistance and, if so, whether the officer responded to that call or
14 request with one or more other peace officers; and

15 (9) whether the incident occurred during or as a
16 result of:

17 (A) the execution of a warrant; or

18 (B) a hostage, barricade, or other emergency
19 situation.

20 (c) Not later than the 30th day after the date of an
21 officer-involved injury or death, the law enforcement agency
22 employing an officer involved in the incident must complete and
23 submit a written or electronic report, using the form created under
24 Subsection (b), to the office of the attorney general and, if the
25 agency maintains an Internet website, post a copy of the report on
26 the agency's website. The report must include all information
27 described in Subsection (b).

1 (d) Not later than the fifth day after the date of receipt of
2 a report submitted under Subsection (c), the office of the attorney
3 general shall post a copy of the report on the office's Internet
4 website.

5 (e) Not later than February 1 of each year, the office of the
6 attorney general shall submit a report regarding all
7 officer-involved injuries or deaths that occurred during the
8 preceding year to the governor and the standing legislative
9 committees with primary jurisdiction over criminal justice
10 matters. The report must include:

11 (1) the total number of officer-involved injuries or
12 deaths;

13 (2) a summary of the reports submitted to the office
14 under this article; and

15 (3) a copy of each report submitted to the office under
16 this article.

17 Art. 2.1395. REPORTS REQUIRED FOR CERTAIN INJURIES OR
18 DEATHS OF PEACE OFFICERS. (a) The office of the attorney general
19 by rule shall create a written and electronic form for the reporting
20 by law enforcement agencies of incidents in which, while a peace
21 officer is performing an official duty, a person who is not a peace
22 officer discharges a firearm and causes injury or death to the
23 officer. The form must include spaces to report only the following
24 information:

25 (1) the date on which the incident occurred;

26 (2) the location where the incident occurred;

27 (3) the age, gender, and race or ethnicity of each

1 injured or deceased peace officer involved in the incident;

2 (4) if known, the age, gender, and race or ethnicity of
3 each person who discharged a firearm and caused injury or death to a
4 peace officer involved in the incident; and

5 (5) whether the officer or any other person was
6 injured or died as a result of the incident.

7 (b) Not later than the 30th day after the date of the
8 occurrence of an incident described by Subsection (a), the law
9 enforcement agency employing the injured or deceased officer at the
10 time of the incident must complete and submit a written or
11 electronic report, using the form created under that subsection, to
12 the office of the attorney general and, if the agency maintains an
13 Internet website, post a copy of the report on the agency's website.
14 The report must include all information described in Subsection
15 (a).

16 (c) Not later than February 1 of each year, the office of the
17 attorney general shall submit a report regarding all incidents
18 described by Subsection (a) that occurred during the preceding year
19 to the governor and the standing legislative committees with
20 primary jurisdiction over criminal justice matters. The report must
21 include:

22 (1) the total number of incidents that occurred;

23 (2) a summary of the reports submitted to the office
24 under this article; and

25 (3) a copy of each report submitted to the office under
26 this article.

27 SECTION 2. Not later than October 1, 2015, the office of the

1 attorney general shall create the reporting forms required under
2 Articles 2.139 and 2.1395, Code of Criminal Procedure, as added by
3 this Act.

4 SECTION 3. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 1036 was passed by the House on May 7, 2015, by the following vote: Yeas 141, Nays 1, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1036 on May 23, 2015, by the following vote: Yeas 133, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1036 was passed by the Senate, with amendments, on May 22, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor