

BILL ANALYSIS

C.S.H.B. 2467
By: Davis, Sarah
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerned parties observe that peace officers are not receiving adequate mental health services after facing critical incidents such as shootings or bodily injuries. C.S.H.B. 2467 seeks to address this issue by providing for a grant program to support the provision of critical incident stress debriefing to certain peace officers.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2467 amends the Government Code to require the criminal justice division of the governor's office to establish and administer a grant program to assist law enforcement agencies in providing critical incident stress debriefing to peace officers who experience critical incidents while performing official duties. The bill defines "critical incident" as an incident involving a peace officer that occurs while the officer is performing official duties and that results in serious bodily injury to the officer or poses a substantial risk of serious bodily injury or death to the officer or of serious harm to the officer's mental health or well-being. The bill authorizes the division to award a grant to a law enforcement agency for the agency to provide critical incident stress debriefing to peace officers employed by the agency or to award a grant to any other agency or organization to assist the agency or organization in providing support for the grant program as determined necessary by the division.

C.S.H.B. 2467 requires a law enforcement agency that receives a grant under the bill's provisions to inform each peace officer employed by the agency about the program and, if the officer participates in the program, about certain related confidentiality protections. The bill requires such a law enforcement agency to certify in writing that the agency will not use disciplinary action or any other form of punishment, including the refusal of a promotion, to discourage or prohibit an officer's participation in the critical incident stress debriefing offered by the agency. The bill subjects critical incident stress debriefing provided using money distributed under the grant program to the confidentiality protections provided under Health and Safety Code provisions relating to critical incident stress management and crisis response services. The bill requires the division to establish eligibility criteria for grant applicants, grant application procedures, procedures for evaluating grant applications, the minimum qualifications necessary for a person to conduct critical incident stress debriefing that is provided using money distributed under the grant program, and guidance for the development of critical incident stress debriefing

curricula, materials, and best practices. The bill requires the division to include in its biennial report to the legislature a detailed reporting of the results and performance of the grant program.

C.S.H.B. 2467 requires the division to establish the grant program not later than October 1, 2017, and to begin to award grants under the program not later than January 1, 2018.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2467 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.0074 to read as follows:

Sec. 772.0074. CRITICAL INCIDENT STRESS DEBRIEFING GRANT PROGRAM. (a) In this section:

(1) "Criminal justice division" means the criminal justice division established under Section 772.006.

(2) "Critical incident" means an incident involving a peace officer that occurs while the officer is performing official duties and that results in serious bodily injury to the officer or poses a substantial risk of serious bodily injury or death to the officer or of serious harm to the officer's mental health or well-being.

(3) "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state that is authorized by law to employ peace officers.

(4) "Peace officer" has the meaning assigned by Article 2.12, Code of Criminal Procedure.

(b) The criminal justice division shall establish and administer a grant program to assist law enforcement agencies in providing critical incident stress debriefing to peace officers who experience critical incidents while performing official duties.

(c) The criminal justice division may award a grant under this section to:

(1) a law enforcement agency for the agency to provide critical incident stress debriefing to peace officers employed by the agency; or

(2) any other person for the person to

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.0074 to read as follows:

Sec. 772.0074. CRITICAL INCIDENT STRESS DEBRIEFING GRANT PROGRAM. (a) In this section:

(1) "Criminal justice division" means the criminal justice division established under Section 772.006.

(2) "Critical incident" means an incident involving a peace officer that occurs while the officer is performing official duties and that results in serious bodily injury to the officer or poses a substantial risk of serious bodily injury or death to the officer or of serious harm to the officer's mental health or well-being.

(3) "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state that is authorized by law to employ peace officers.

(4) "Peace officer" has the meaning assigned by Article 2.12, Code of Criminal Procedure.

(b) The criminal justice division shall establish and administer a grant program to assist law enforcement agencies in providing critical incident stress debriefing to peace officers who experience critical incidents while performing official duties.

(c) The criminal justice division may award a grant under this section to:

(1) a law enforcement agency for the agency to provide critical incident stress debriefing to peace officers employed by the agency; or

(2) any other agency or organization to

develop critical incident stress debriefing curricula, materials, or best practices that are designed for use by a law enforcement agency that receives a grant under this section.

(d) A law enforcement agency that receives a grant under this section must:

(1) inform each peace officer employed by the agency about the program, including opportunities to participate in the program; and

(2) certify in writing that the agency will not use disciplinary action or any other form of punishment, including the refusal of a promotion, to discourage or prohibit an officer's participation in the critical incident stress debriefing offered by the agency.

(e) The criminal justice division shall establish:

(1) eligibility criteria for grant applicants;
(2) grant application procedures;
(3) procedures for evaluating grant applications;

(4) the minimum qualifications necessary for a person to conduct critical incident stress debriefing that is provided using money distributed under the grant program; and

(5) guidance for the development of critical incident stress debriefing curricula, materials, and best practices.

(f) The criminal justice division shall include in the biennial report required by Section 772.006(a)(9) a detailed reporting of the results and performance of the grant program administered under this section.

SECTION 2. Not later than October 1, 2017, the criminal justice division of the governor's office shall establish the grant program required by Section 772.0074, Government Code, as added by this Act, and, not later than January 1, 2018, shall begin to award grants under the program.

assist the agency or organization in providing support for the grant program, including support related to the development, implementation, management, or evaluation of the grant program, as determined necessary by the division.

(d) A law enforcement agency that receives a grant under this section must:

(1) inform each peace officer employed by the agency about:

(A) the program, including opportunities to participate in the program; and

(B) if the officer participates in the program, the confidentiality protections described by Subsection (e); and

(2) certify in writing that the agency will not use disciplinary action or any other form of punishment, including the refusal of a promotion, to discourage or prohibit an officer's participation in the critical incident stress debriefing offered by the agency.

(e) Critical incident stress debriefing provided using money distributed under the grant program is subject to the confidentiality protections provided under Section 784.003, Health and Safety Code.

(f) The criminal justice division shall establish:

(1) eligibility criteria for grant applicants;
(2) grant application procedures;
(3) procedures for evaluating grant applications;

(4) the minimum qualifications necessary for a person to conduct critical incident stress debriefing that is provided using money distributed under the grant program; and

(5) guidance for the development of critical incident stress debriefing curricula, materials, and best practices.

(g) The criminal justice division shall include in the biennial report required by Section 772.006(a)(9) a detailed reporting of the results and performance of the grant program administered under this section.

SECTION 2. Same as introduced version.

SECTION 3. This Act takes effect
September 1, 2017.

SECTION 3. Same as introduced version.