

## **BILL ANALYSIS**

Senate Research Center

H.B. 2619  
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Criminal Justice  
5/18/2017  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Informed observers note that law enforcement officers can experience tremendous amounts of trauma in the course of fulfilling their duties and too often face undiagnosed or untreated mental health issues associated with that trauma.

H.B. 2619 addresses this issue by creating a peace officer mental health grant program in the criminal justice division of the governor's office.

H.B. 2619 amends current law relating to grant programs to maintain peace officers' mental health and provide critical incident stress debriefing for certain officers.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 772, Government Code, by adding Section 772.0073, as follows:

Sec. 772.0073. PEACE OFFICER MENTAL HEALTH GRANT PROGRAM. (a) Defines "law enforcement agency" and "criminal justice division."

(b) Requires the criminal justice division (division) to establish and administer a grant program through which a law enforcement agency may apply for a grant to implement programs, practices, and services designed to address the direct or indirect emotional harm suffered by peace officers employed by the law enforcement agency in the course of the officers' duties or as the result of the commission of crimes by other persons.

(c) Authorizes grant money awarded under this section to be used to pay for certain services and training.

(d) Provides that information obtained in the administration of a program, practice, or service funded by a grant made under this section is confidential and is not subject to disclosure under Chapter 552 (Public Information).

(e) Prohibits a law enforcement agency from using against a peace officer in a departmental proceeding any information obtained in the administration of a program, practice, or service funded by a grant made under this section.

(f) Requires the division to establish eligibility criteria for grant applicants, grant application procedures, guidelines relating to grant amounts, procedures for evaluating grant applications, and procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.

(g) Requires the division to evaluate and compare the programs, practices, and services implemented by each law enforcement agency that receives a grant under this section to determine the most successful programs, practices, and services for maintaining the mental health of peace officers.

(h) Authorizes the division to contract with a third party to conduct the evaluations and comparison described by Subsection (g).

(i) Requires the division to include in the biennial report required by Section 772.006(a)(9) (relating to requiring the governor to establish a criminal justice division in the governor's office to submit a certain biennial report to the legislature) a detailed reporting of the results and performance of the grant program administered under this section.

(j) Authorizes the division to use any available funds to implement this section.

SECTION 2. Amends Subchapter A, Chapter 772, Government Code, by adding Section 772.0074, as follows:

Sec. 772.0074. CRITICAL INCIDENT STRESS DEBRIEFING GRANT PROGRAM.

(a) Defines "criminal justice division," "critical incident," "law enforcement agency," and "peace officer."

(b) Requires the division 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.

(c) Authorizes the division to 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, organization with a focus on mental health or trauma-related issues, or university with relevant expertise and experience to assist in providing certain support for the grant program.

(d) Requires a law enforcement agency that receives a grant under this section to:

(1) inform each peace officer employed by the agency about the program, including opportunities to participate in the program and, 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) Provides that critical incident stress debriefing provided using money distributed under the grant program is subject to the confidentiality protections provided under Section 784.003 (Confidentiality), Health and Safety Code.

(f) Requires the division to establish certain requirements and procedures for the grant applicants and application procedures.

(g) Requires the division to 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 3. Requires the division, not later than October 1, 2017, to establish the grant program required by Section 772.0074, Government Code, as added by this Act, and, not later than January 1, 2018, to begin to award grants under the program.

SECTION 4. Effective date: September 1, 2017.