

BILL ANALYSIS

C.S.H.B. 2619
By: Giddings
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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

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. 2619 amends the Government Code to require the criminal justice division of the governor's office 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 agency in the course of the officers' duties or as a result of the commission of crimes by other persons and to set out the authorized uses of the grant money awarded under that program. The bill makes information obtained in the administration of such a program, practice, or service confidential and exempt from disclosure under state public information law and prohibits a law enforcement agency from using any such information against a peace officer in a departmental proceeding.

C.S.H.B. 2619 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. The bill requires the division to evaluate and compare the programs, practices, and services implemented by each law enforcement agency that receives a grant under the bill's provisions to determine the most successful programs, practices, and services for maintaining the mental health of peace officers and authorizes the division to contract with a third party to conduct the evaluations and comparison. The bill requires the division to include in the division's biennial report to the legislature a detailed reporting of the results and performance of the peace officer mental health grant program. The bill authorizes the division to use any available funds to implement the grant program.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2619 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 772.0073 to read as follows:

Sec. 772.0073. PEACE OFFICER MENTAL HEALTH GRANT PROGRAM.

(a) In this section:

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

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

(b) The criminal justice division shall establish and administer a grant program through which a law enforcement agency may apply for a grant to implement practices designed to maintain the mental health of peace officers employed by the law enforcement agency.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.0073 to read as follows:

Sec. 772.0073. PEACE OFFICER MENTAL HEALTH GRANT PROGRAM.

(a) In this section:

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

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

(b) The criminal justice division shall 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) Grant money awarded under this section may be used to pay for:

(1) mental health counseling and other mental health care;

(2) personnel costs incurred by the department as a result of providing direct services and supporting activities under an implemented program, practice, or service;

(3) skills training for department personnel related to providing direct services under an implemented program, practice, or service; and

(4) evaluation of an implemented program, practice, or service to determine its effectiveness.

(d) 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.

(c) The criminal justice division shall establish:

- (1) eligibility criteria for grant applicants;
- (2) grant application procedures;
- (3) guidelines relating to grant amounts;
- (4) procedures for evaluating grant applications; and
- (5) procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.

(d) The criminal justice division shall evaluate and compare the practices implemented by each law enforcement agency that receives a grant under this section to determine the most successful practices for maintaining the mental health of peace officers.

(e) The criminal justice division may contract with a third party to conduct the evaluations and comparison described by Subsection (d).

(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. This Act takes effect September 1, 2017.

(e) A law enforcement agency may not use 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) The criminal justice division shall establish:

- (1) eligibility criteria for grant applicants;
- (2) grant application procedures;
- (3) guidelines relating to grant amounts;
- (4) procedures for evaluating grant applications; and
- (5) procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.

(g) The criminal justice division shall 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) The criminal justice division may contract with a third party to conduct the evaluations and comparison described by Subsection (g).

(i) 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.

(j) The criminal justice division may use any available funds to implement this section.

SECTION 2. Same as introduced version.