

AN ACT

relating to grant programs to maintain peace officers' mental health and provide critical incident stress debriefing for certain officers.

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

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

1 care;

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

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

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

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

14 (e) A law enforcement agency may not use against a peace
15 officer in a departmental proceeding any information obtained in
16 the administration of a program, practice, or service funded by a
17 grant made under this section.

18 (f) The criminal justice division shall establish:

19 (1) eligibility criteria for grant applicants;

20 (2) grant application procedures;

21 (3) guidelines relating to grant amounts;

22 (4) procedures for evaluating grant applications; and

23 (5) procedures for monitoring the use of a grant
24 awarded under the program and ensuring compliance with any
25 conditions of a grant.

26 (g) The criminal justice division shall evaluate and
27 compare the programs, practices, and services implemented by each

1 law enforcement agency that receives a grant under this section to
2 determine the most successful programs, practices, and services for
3 maintaining the mental health of peace officers.

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

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

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

13 SECTION 2. Subchapter A, Chapter 772, Government Code, is
14 amended by adding Section 772.0074 to read as follows:

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

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

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

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

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

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

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

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

12 (2) any other agency, organization with a focus on
13 mental health or trauma-related issues, or university with relevant
14 expertise and experience to assist in providing support for the
15 grant program, including support related to the development,
16 implementation, management, or evaluation of the grant program, as
17 determined necessary by the division.

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

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

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

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

26 (2) certify in writing that the agency will not use
27 disciplinary action or any other form of punishment, including the

1 refusal of a promotion, to discourage or prohibit an officer's
2 participation in the critical incident stress debriefing offered by
3 the agency.

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

8 (f) The criminal justice division shall establish:

9 (1) eligibility criteria for grant applicants;

10 (2) grant application procedures;

11 (3) procedures for evaluating grant applications;

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

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

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

21 SECTION 3. Not later than October 1, 2017, the criminal
22 justice division of the governor's office shall establish the grant
23 program required by Section 772.0074, Government Code, as added by
24 this Act, and, not later than January 1, 2018, shall begin to award
25 grants under the program.

26 SECTION 4. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 2619 was passed by the House on May 9, 2017, by the following vote: Yeas 123, Nays 16, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2619 was passed by the Senate on May 24, 2017, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor