

By: Burns

H.B. No. 4118

A BILL TO BE ENTITLED

AN ACT

relating to peace officer duties in investigating or responding to certain family violence incidents.

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

SECTION 1. Chapter 5, Code of Criminal Procedure, is amended by adding Article 5.055 to read as follows:

Art. 5.055. ADDITIONAL DUTIES AND RECORDS RELATED TO STRANGULATION INCIDENTS. (a) If a peace officer investigates a family violence allegation or responds to a disturbance call that may involve family violence and the peace officer has reason to believe that conduct described by Section 22.01(b)(2)(B), Penal Code, occurred, the peace officer shall, in addition to the peace officer's duties under Articles 5.04 and 5.05:

(1) evaluate the scene and render aid to the victim;

(2) summon emergency medical services, if appropriate, and note the identities of the emergency medical services personnel in the report of the incident;

(3) provide the victim referral information to the appropriate support agency for the victim and document the referral in the report of the incident;

(4) thoroughly document the suspect's behavior, actions, and comments in the report of the incident; and

(5) use any checklist or other evaluation tool adopted by the peace officer's employing law enforcement agency.

1 (b) A law enforcement agency may adopt a checklist or other
2 evaluation tool to assist peace officers in assessing the
3 circumstances under which conduct described by Section
4 [22.01\(b\)\(2\)\(B\)](#), Penal Code, may have occurred.

5 SECTION 2. This Act takes effect September 1, 2019.