

AN ACT

relating to permitting the viewing of certain body worn camera recordings.

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

SECTION 1. Section 1701.660, Occupations Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsections (a-1) and [Subsection] (b), a recording created with a body worn camera and documenting an incident that involves the use of deadly force by a peace officer or that is otherwise related to an administrative or criminal investigation of an officer may not be deleted, destroyed, or released to the public until all criminal matters have been finally adjudicated and all related administrative investigations have concluded.

(a-1) A law enforcement agency may permit a person who is depicted in a recording of an incident described by Subsection (a) or, if the person is deceased, the person's authorized representative, to view the recording, provided that the law enforcement agency determines that the viewing furthers a law enforcement purpose and provided that any authorized representative who is permitted to view the recording was not a witness to the incident. A person viewing a recording may not duplicate the recording or capture video or audio from the

1 recording. A permitted viewing of a recording under this  
2 subsection is not considered to be a release of public information  
3 for purposes of Chapter 552, Government Code.

4 SECTION 2. The change in law made by this Act applies to a  
5 recording held by a law enforcement agency on or after the effective  
6 date of this Act, regardless of whether the recording was created  
7 before, on, or after that date.

8 SECTION 3. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 4236 was passed by the House on May 10, 2019, by the following vote: Yeas 130, Nays 11, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 4236 was passed by the Senate on May 20, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor