

By: Anderson

H.B. No. 4236

Substitute the following for H.B. No. 4236:

By: Israel

C.S.H.B. No. 4236

A BILL TO BE ENTITLED

1 AN ACT
2 relating to permitting the viewing of certain body worn camera
3 recordings.

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

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

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

16 (a-1) A law enforcement agency may permit a person who is
17 depicted in a recording of an incident described by Subsection (a)
18 or, if the person is deceased, the person's authorized
19 representative, to view the recording, provided that the law
20 enforcement agency determines that the viewing furthers a law
21 enforcement purpose and provided that any authorized
22 representative who is permitted to view the recording was not a
23 witness to the incident. A person viewing a recording may not
24 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.