

By: Anderson

H.B. No. 4236

A BILL TO BE ENTITLED

AN ACT

relating to a limited 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 the representative was not a witness to the incident. If a viewing is permitted under this subsection, the law enforcement agency must allow a viewing of the full and unedited recording covering the duration of the incident and may not redact

1 the recording. A person viewing a recording may not duplicate the
2 recording or capture video or audio from the recording.

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

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