

By: West

S.B. No. 2114

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain duties of peace officers and law enforcement  
3 agencies concerning certain information subject to disclosure to a  
4 defendant.

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

6 SECTION 1. Chapter 2, Code of Criminal Procedure, is  
7 amended by adding Article 2.1397 to read as follows:

8 Art. 2.1397. DUTIES OF LAW ENFORCEMENT AGENCY FILING CASE.

9 (a) A law enforcement agency filing a case with the attorney  
10 representing the state shall submit to the attorney representing  
11 the state a written statement by a peace officer employed by the  
12 agency acknowledging that all documents, items, and information in  
13 the possession of the agency that are required to be disclosed to  
14 the defendant in the case under Article 39.14(h) have been  
15 transmitted to the attorney representing the state.

16 (b) If at any time after the case is filed with the attorney  
17 representing the state the law enforcement agency discovers or  
18 acquires any additional document, item, or information required to  
19 be disclosed to the defendant under Article 39.14(h) or (k), a peace  
20 officer employed by the agency shall promptly transmit the  
21 document, item, or information to the attorney representing the  
22 state.

23 (c) A law enforcement agency shall promptly disclose to each  
24 attorney representing the state with whom the agency files cases

1 the identity of each peace officer or other employee of the agency  
2 for whom a finding of misconduct has been sustained if that finding  
3 would be required to be disclosed to a defendant under Article  
4 39.14.

5 SECTION 2. Section 1701.501(a), Occupations Code, is  
6 amended to read as follows:

7 (a) Except as provided by Subsection (d), the commission  
8 shall revoke or suspend a license, place on probation a person whose  
9 license has been suspended, or reprimand a license holder for a  
10 violation of:

11 (1) this chapter;

12 (2) the reporting requirements provided by Articles  
13 2.132 and 2.134, Code of Criminal Procedure;

14 (3) a duty imposed by Article 2.1397, Code of Criminal  
15 Procedure; or

16 (4) [~~(3)~~] a commission rule.

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