

BILL ANALYSIS

Senate Research Center
87R7735 ADM-D

H.B. 1938
By: Jetton et al. (Kolkhorst)
Jurisprudence
5/17/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

While there are many grants and resources for purchasing body worn police cameras, the cost of storing the footage can be very high. This cost can fluctuate significantly depending on how long the footage is kept and how much officers capture with their cameras. A recent report found that the annual cost for storage for large departments can run from tens of thousands to millions of dollars. H.B. 1938 seeks to help police departments defray these costs by establishing a grant program for that purpose.

H.B. 1938 amends current law relating to a grant program for law enforcement agencies to defray the cost of data storage for recordings created with body worn cameras.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter N, Chapter 1701, Occupations Code, by adding Section 1701.6521, as follows:

Sec. 1701.6521. GRANTS FOR BODY WORN CAMERA DATA STORAGE. (a) Authorizes a law enforcement agency in this state that provides body worn cameras to its peace officers to apply to the Office of the Governor for a grant to defray the cost of data storage for recordings created with the body worn cameras.

(b) Authorizes the grant program established by this section to be funded by federal funds or by gifts, grants, and donations.

SECTION 2. Amends Sections 1701.658(a), (b), and (c), Occupations Code, as follows:

(a) Authorizes a peace officer who is employed by a law enforcement agency and who is on duty, if the agency receives a grant under Section 1701.652 (Grants for Body Worn Cameras), rather than a grant under Subchapter N (Body Worn Camera Program), to only use a body worn camera that is issued and maintained by that agency.

(b) Prohibits a law enforcement agency, notwithstanding any previous policies, from allowing its peace officers to use privately owned body worn cameras after receiving a grant described by Section 1701.658 (Use of Personal Equipment), rather than a grant under Subchapter N.

(c) Authorizes a peace officer who is employed by a law enforcement agency that has not received a grant described by Section 1701.658 or who has not otherwise been provided with a body worn camera by the agency that employs the officer to operate a body worn camera that is privately owned only if permitted by the employing agency.

SECTION 3. Effective date: September 1, 2021.