

By: Crockett

H.B. No. 2655

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a Department of Public Safety database concerning peace  
3 officer misconduct.

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

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

7 Art. 2.1397. DUTIES OF LAW ENFORCEMENT AGENCY REGARDING  
8 PEACE OFFICER MISCONDUCT. (a) In this article, "law enforcement  
9 agency" means an agency of the state or an agency of a political  
10 subdivision of the state authorized by law to employ peace  
11 officers.

12 (b) A law enforcement agency shall promptly report to the  
13 Department of Public Safety for inclusion in the database  
14 established under Section 411.056, Government Code, each  
15 allegation of misconduct concerning a peace officer employed by the  
16 agency. The report must be made on the form adopted by that  
17 department and must include information regarding:

18 (1) the nature of the allegation;

19 (2) the results of the agency's investigation of the  
20 allegation; and

21 (3) any disciplinary action taken by the agency as a  
22 result of the allegation.

23 SECTION 2. Subchapter D, Chapter 411, Government Code, is  
24 amended by adding Section 411.056 to read as follows:

1        Sec. 411.056. DATABASE OF PEACE OFFICER MISCONDUCT; REPORT.

2        (a) The department shall:

3                (1) adopt a form for the reporting of misconduct  
4 allegations under Article 2.1397, Code of Criminal Procedure;

5                (2) establish a database for information concerning  
6 reports received under that article; and

7                (3) make the database accessible to law enforcement  
8 agencies in this state.

9        (b) Not later than June 1 and December 1 of each year, the  
10 department shall submit a report regarding peace officer misconduct  
11 to the governor, lieutenant governor, and each standing committee  
12 of the legislature with primary jurisdiction over criminal justice  
13 matters. The report must include information regarding the type  
14 and frequency of misconduct allegations in this state.

15        (c) The department shall make each report submitted under  
16 Subsection (b) available on the department's Internet website.

17        SECTION 3. Not later than January 1, 2022, the Department of  
18 Public Safety of the State of Texas shall adopt the form and  
19 establish the database as required by Section 411.056, Government  
20 Code, as added by this Act.

21        SECTION 4. The Department of Public Safety of the State of  
22 Texas shall submit its first report under Section 411.056(b),  
23 Government Code, as added by this Act, not later than June 1, 2022.

24        SECTION 5. This Act takes effect September 1, 2021.