

By: Miles

S.B. No. 748

A BILL TO BE ENTITLED

AN ACT

relating to requiring law enforcement agencies to make certain radio communications available to the public.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.33 to read as follows:

Art. 2.33. DUTY OF LAW ENFORCEMENT AGENCY TO MAKE CERTAIN RADIO COMMUNICATIONS AVAILABLE TO PUBLIC. (a) In this article:

(1) "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers.

(2) "Radio communication" means any audio communication transmitted by a radio system.

(3) "Readily accessible to the general public" has the meaning assigned by Section 16.02, Penal Code.

(b) Each law enforcement agency shall make radio communications sent by the agency for a law enforcement purpose readily accessible to the general public, except for radio communications sent by designated units in the agency that perform:

(1) special operations; or

(2) the gathering and analyzing of information for the purpose of generating intelligence.

SECTION 2. Notwithstanding Article 2.33, Code of Criminal Procedure, as added by this Act, a law enforcement agency is not

1 required to comply with that article until January 1, 2022.

2 SECTION 3. This Act takes effect September 1, 2021.