

By: West

S.B. No. 973

A BILL TO BE ENTITLED

AN ACT

relating to the release of recordings made by peace officers using body worn cameras.

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

SECTION 1. Section 1701.660(a), Occupations Code, is amended to read as follows:

(a) A [~~Except as provided by Subsections (a-1) and (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 a peace [~~an~~] officer may not be deleted or [~~7~~] destroyed [~~, or released to the public~~] until all criminal matters have been finally adjudicated and all related administrative investigations have concluded.

SECTION 2. Sections 1701.661(e) and (f), Occupations Code, are amended to read as follows:

(e) A law enforcement agency may:

(1) seek to withhold information [~~subject to Subsection (d)~~] in accordance with procedures provided by Section 552.301, Government Code;

(2) assert any exceptions to disclosure in Chapter 552, Government Code, or other law; or

(3) release information requested in accordance with Subsection (a) after the agency redacts any information made

1 confidential under Chapter 552, Government Code, or other law.

2 (f) Any [~~A law enforcement agency may not release any~~]
3 portion of a recording made in a private space is confidential and
4 excepted from the requirements of Chapter 552, Government Code, and
5 may not be released [~~, or of a recording involving the investigation~~
6 ~~of conduct that constitutes a misdemeanor punishable by fine only~~
7 ~~and does not result in arrest,~~] without written authorization from
8 the person who is the subject of that portion of the recording or,
9 if the person is deceased, from the person's authorized
10 representative.

11 SECTION 3. The following provisions of the Occupations Code
12 are repealed:

13 (1) Sections 1701.660(a-1), (b), and (c); and

14 (2) Sections 1701.661(c), (d), and (h).

15 SECTION 4. The changes in law made by this Act relating to
16 the release of body worn camera recordings apply to a request for
17 release of a recording received on or after the effective date of
18 this Act. A request for release of a recording received before the
19 effective date of this Act is governed by the law in effect on the
20 date the request was received, and the former law is continued in
21 effect for that purpose.

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