88R7976 SCL-D

By:  Campos H.B. No. 2034

A BILL TO BE ENTITLED

AN ACT

relating to certain mental health policies and services for peace officers and fire fighters.

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

SECTION 1.  The heading to Subchapter A-1, Chapter 614, Government Code, is amended to read as follows:

SUBCHAPTER A-1. MENTAL HEALTH OF PEACE OFFICERS AND FIRE FIGHTERS [~~LEAVE~~]

SECTION 2.  Subchapter A-1, Chapter 614, Government Code, is amended by adding Section 614.014 to read as follows:

Sec. 614.014.  DEFINITIONS. In this subchapter, "employer," "fire fighter," and "peace officer" have the meanings assigned by Section 614.001.

SECTION 3.  Section 614.015, Government Code, is amended to read as follows:

Sec. 614.015.  MENTAL HEALTH LEAVE FOR PEACE OFFICERS AND FIRE FIGHTERS. (a) [~~In this section, "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.~~

[~~(b)~~]  Each employer [~~law enforcement agency~~] shall develop and adopt a policy allowing the use of mental health leave by the employer's peace officers and fire fighters [~~employed by the agency~~] who experience a traumatic event in the scope of performing their duties as peace officers or fire fighters for the employer [~~that employment~~].

(b) [~~(c)~~]  The mental health leave policy adopted under this section must:

(1)  provide clear and objective guidelines establishing the circumstances under which a peace officer or fire fighter is granted mental health leave and may use mental health leave;

(2)  entitle a peace officer or fire fighter to mental health leave without a deduction in salary or other compensation;

(3)  enumerate the number of mental health leave days available to a peace officer or fire fighter; and

(4)  detail the level of anonymity for a peace officer or fire fighter who takes mental health leave.

(c) [~~(d)~~]  The mental health leave policy adopted under this section may provide a list of mental health services available to peace officers and fire fighters in the area where the employer is located [~~of the law enforcement agency~~].

SECTION 4.  Subchapter A-1, Chapter 614, Government Code, is amended by adding Section 614.016 to read as follows:

Sec. 614.016.  MENTAL HEALTH EVALUATIONS FOR PEACE OFFICERS AND FIRE FIGHTERS. (a) In this section, "peer support advisor" means an individual appointed by the individual's employer to provide confidential support and assistance to a peace officer or fire fighter who experiences a traumatic event in the scope of performing their duties as a peace officer or fire fighter for the employer.

(b)  Each employer shall ensure that a mental health professional or peer support advisor performs an annual mental health evaluation of each of the employer's peace officers and fire fighters as part of the peace officer's or fire fighter's performance review.

(c)  Each employer shall provide a peace officer or fire fighter who experiences a traumatic event in the scope of performing their duties as a peace officer or fire fighter for the employer:

(1)  a mental health evaluation performed by a mental health professional or peer support advisor; and

(2)  an opportunity to receive mental health counseling.

SECTION 5.  (a) As soon as practicable after the effective date of this Act, each employer, as defined by Section 614.014, Government Code, as added by this Act, shall develop a mental health leave policy required by Section 614.015, Government Code, as amended by this Act.

(b)  Section 614.016(b), Government Code, as added by this Act, applies only to a performance review of a peace officer or fire fighter conducted on or after the effective date of this Act.

(c)  Section 614.016(c), Government Code, as added by this Act, applies only to a traumatic event that occurs on or after the effective date of this Act.

SECTION 6.  This Act takes effect September 1, 2023.