88R7833 EAS-D

By:  Paxton S.B. No. 2020

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the criminal offense of mass terroristic threat and to the establishment of the task force on mass violence prevention.

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

SECTION 1.  Chapter 22, Penal Code, is amended by adding Section 22.071 to read as follows:

Sec. 22.071.  MASS TERRORISTIC THREAT. (a) A person commits an offense if the person threatens to cause mass violence to a person or property with the intent to intimidate or induce fear through the infliction of serious bodily injury on:

(1)  more than one specific person; or

(2)  the public or a substantial group of the public.

(b)  An offense under this section is a felony of the third degree.

(c)  If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

SECTION 2. (a) In this section, "department" means the Department of Public Safety of the State of Texas.

(b)  The task force on mass violence prevention is established to evaluate the policies and practices regarding the interaction between law enforcement agencies and the mental health system in relation to incidents of mass violence in this state.

(c)  The task force is composed of the public safety director of the department or the director's designee and the following members appointed by the director:

(1)  a representative of the Health and Human Services Commission;

(2)  a representative of the Texas Judicial Commission on Mental Health;

(3)  a representative of the Texas Council of Community Centers;

(4)  a representative of the Sheriffs' Association of Texas; and

(5)  a qualified forensic mental health expert certified in the evaluation of mass violence.

(d)  The public safety director of the department shall designate a member of the task force to serve as the presiding officer.

(e)  The department shall provide reasonably necessary administrative and technical support to the task force.

(f)  The department may accept gifts, grants, or donations on behalf of the task force to carry out the task force's duties under this section.

(g)  Chapter 2110, Government Code, does not apply to the task force.

(h)  Not later than December 1, 2024, the task force shall prepare and submit a written report on the task force's activities to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over criminal justice and mental health matters. The report must include legislative recommendations for:

(1)  standardizing protocols for the reporting of, reaction to, and mitigation of the threat of mass violence;

(2)  aligning and coordinating laws in this state to ensure a smooth transition between the criminal justice and mental health systems; and

(3)  reducing incidents of mass violence in this state.

(i)  The task force is abolished and this section expires September 1, 2025.

SECTION 3.  As soon as practicable after the effective date of this Act, the public safety director of the Department of Public Safety of the State of Texas shall appoint members to the task force on mass violence prevention as required by Section 2 of this Act.

SECTION 4.  This Act takes effect September 1, 2023.