

By: Zwiener

H.B. No. 974

A BILL TO BE ENTITLED

AN ACT

relating to law enforcement policies prohibiting a peace officer from using less lethal projectiles for the purpose of controlling the activity or movement of a gathering of people.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.36 to read as follows:

Art. 2.36. LAW ENFORCEMENT POLICY PROHIBITING USE OF CERTAIN AMMUNITION FOR CROWD CONTROL. (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 appoint or employ peace officers.

(2) "Less lethal projectile" means ammunition that is discharged from a firearm or other device for the purpose of incapacitating or substantially diminishing the capacity of the target by inflicting blunt trauma and that is designed to reduce the risk of serious bodily injury or death compared to more commonly used ammunition such as bullets or other projectiles composed primarily or entirely of metal. The term includes ammunition commonly known as "rubber bullets," "wooden bullets," "sponge rounds," and "bean bag rounds."

(b) Each law enforcement agency in this state shall adopt a policy on crowd control that prohibits a peace officer appointed or employed by the agency from using less lethal projectiles as a means

1 to control the activity or movement of a gathering of people.

2       SECTION 2. Not later than January 1, 2024, each law  
3 enforcement agency in this state shall adopt the policy required by  
4 Article 2.36, Code of Criminal Procedure, as added by this Act.

5       SECTION 3. This Act takes effect September 1, 2023.