

By: Jones of Harris

H.B. No. 1808

A BILL TO BE ENTITLED

AN ACT

relating to liability insurance obtained by certain peace officers for damages resulting from misconduct committed by those officers.

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

SECTION 1. Chapter 612, Government Code, is amended by adding Section 612.006 to read as follows:

Sec. 612.006. LIABILITY INSURANCE COVERAGE OBTAINED BY PEACE OFFICERS FOR THEIR MISCONDUCT. (a) In this section:

(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) "Peace officer" means an individual elected, appointed, or employed to serve as a peace officer for a governmental entity under Article 2.12, Code of Criminal Procedure, or other law.

(b) This section applies only to a peace officer, other than a reserve peace officer, who:

(1) works as a peace officer for a law enforcement agency; and

(2) is entitled to benefits normally offered to a full-time peace officer by the employing agency, such as retirement benefits.

(c) A law enforcement agency may not employ a peace officer to whom this section applies unless the peace officer obtains and

1 continuously maintains liability insurance to cover damages
2 resulting from any misconduct, including intentional, negligent,
3 or wilful acts, committed by the peace officer while acting in the
4 scope of the peace officer's employment for the law enforcement
5 agency.

6 (d) Liability insurance obtained and maintained for
7 purposes of Subsection (c) must comply with the rules adopted by the
8 commissioner of insurance under Subsection (e).

9 (e) The commissioner of insurance shall adopt rules with
10 respect to the liability insurance required by Subsection (c) that:

11 (1) set a minimum coverage amount for a policy that
12 allows for a reasonable number of victims to be compensated; and

13 (2) require a policy to state that the policy is
14 provided in accordance with and is subject to this section.

15 SECTION 2. Not later than January 1, 2024, the commissioner
16 of insurance shall adopt rules to implement Section 612.006,
17 Government Code, as added by this Act.

18 SECTION 3. Section 612.006(c), Government Code, as added by
19 this Act, applies only to a peace officer employed on or after
20 September 1, 2024.

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