

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

1 ~~[that employment]~~.

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

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

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

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

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

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

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

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

27 (b) Each employer shall ensure that a mental health

1 professional or peer support advisor performs an annual mental  
2 health evaluation of each of the employer's peace officers and fire  
3 fighters as part of the peace officer's or fire fighter's  
4 performance review.

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

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

11 (2) an opportunity to receive mental health  
12 counseling.

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

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

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

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