

By: West

S.B. No. 839

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a witness protection unit of the Texas Rangers.

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

SECTION 1. Chapter 411, Government Code, is amended by adding Subchapter B-2 to read as follows:

SUBCHAPTER B-2. WITNESS PROTECTION UNIT

Sec. 411.0281. In this subchapter:

(1) "Prosecuting attorney" has the meaning assigned under Section 411.0251.

(2) "Unit" and "witness protection unit" mean the witness protection unit established under Section 411.0282.

Sec. 411.0282. ESTABLISHMENT OF UNIT. The Texas Rangers division of the department shall establish and support a witness protection unit.

Sec. 411.0283. PURPOSE AND DUTIES. (a) On receiving a request from a prosecuting attorney or a prosecuting attorney's designee qualified under Section 411.0286(b) to make such a request, the unit may provide for the relocation or other protection of:

(1) a witness or prospective witness in a criminal case in this state:

(A) for an offense punishable as a first degree or capital felony; or

1                   (B) in which the witness or prospective witness  
2 is likely to be subject to obstruction or retaliation under Section  
3 36.06, Penal Code, as determined by the unit; or

4                   (2) a family member or person otherwise closely  
5 associated with a witness or prospective witness described by  
6 Subdivision (1), if the unit determines that the family member or  
7 person may be in danger of harm as a result of the witness's or  
8 prospective witness's participation in the criminal case.

9                   (b) The department may adopt rules necessary for the  
10 establishment and administration of the unit, including rules  
11 relating to:

12                   (1) the types of cases for which the unit may protect a  
13 witness or prospective witness;

14                   (2) the process the unit will use to approve a request  
15 for witness protection;

16                   (3) the types of protection services the unit will  
17 offer; and

18                   (4) protocols that ensure the confidentiality and  
19 security of witness information.

20                   Sec. 411.0284. GIFTS, GRANTS, AND DONATIONS. The  
21 department may solicit and accept gifts, grants, and donations from  
22 any source for the purpose of implementing this subchapter.

23                   Sec. 411.0285. IMMUNITY FROM LIABILITY. The Texas Rangers,  
24 the department, or another authorized agent of the unit is not  
25 liable for damages resulting from witness protection provided or a  
26 request for witness protection denied under this subchapter.

27                   Sec. 411.0286. PROSECUTING ATTORNEY TRAINING. (a) The

1 unit shall develop and provide a training course for prosecuting  
2 attorneys and the prosecuting attorneys' designees regarding:

3 (1) witness protection procedures and best practices;

4 (2) the types of cases for which the unit may protect a  
5 witness or prospective witness; and

6 (3) the process the unit will use to approve a request  
7 for witness protection.

8 (b) To be qualified to request assistance from the unit, a  
9 prosecuting attorney or a prosecuting attorney's designee must have  
10 completed the training course described by Subsection (a).

11 (c) The department shall offer the training course  
12 described by Subsection (a) at least once every two years.

13 SECTION 2. Not later than December 1, 2023, the Department  
14 of Public Safety shall establish the witness protection unit under  
15 Subchapter B-2, Chapter 411, Government Code, as added by this Act.

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