

By: Gutierrez

S.B. No. 1738

A BILL TO BE ENTITLED

AN ACT

relating to the automatic suspension and investigation of law enforcement personnel involved in a shooting with a child.

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

SECTION 1. Chapter 141, Local Government Code, is amended by adding Section 141.036 to read as follow:

Sec. 141.036. AUTOMATIC SUSPENSION. (a) A law enforcement officer who is involved in a shooting with a child shall be immediately placed on administrative leave or suspended from active duty until an investigation is conducted.

(b) The investigation of the shooting involving a child shall be conducted by an independent law enforcement agency or investigator.

(c) The suspended officer or officers are prohibited from communicating with potential witnesses or suspects during the investigation.

(d) If the investigation determines that the use of force was unjustified or that the law enforcement officer failed to intervene to prevent the death of a child, the suspended officer or officers may be terminated, suspended, or subject to any other disciplinary action.

SECTION 2. This Act takes effect September 1, 2023.