

BILL ANALYSIS

C.S.H.B. 3358
By: Garcia Hernandez, Cassandra
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that prosecutors work firsthand with victims and first responders to analyze events and seek justice, all while remaining objective, but are not considered emergency service providers. Further, while law enforcement can access peer support mental health programs without career backlash, district and county prosecutors and professionals are not afforded the same. According to the American Bar Association, attorneys in the U.S. rank fifth in occupational suicide rates, face high rates of substance abuse, and are 3.6 times more likely to experience depression than nonlawyers. The bill author has further informed the committee that prosecutors should also receive peer support mental health services so that Texas can combat the nationwide prosecutor shortage. C.S.H.B. 3358 seeks to provide necessary support services for legal professionals in critical incidents by expanding the definition of "emergency service provider" within the context of critical incident stress management and crisis response services by including in that definition an attorney, an investigator, or another staff member for the office of a district attorney, criminal district attorney, or county attorney, or a justice of the peace or a staff member for a justice court who provides post-emergency response services.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3358 amends the Health and Safety Code to classify an individual who provides post-emergency response services, including an attorney, an investigator, or another staff member for the office of a district attorney, criminal district attorney, or county attorney, or a justice of the peace or a staff member for a justice court as an emergency service provider for purposes of statutory provisions relating to critical incident stress management and crisis response services.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3358 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and the substitute include an attorney, investigator, or another staff member for a district, criminal district, or county attorney's office as an emergency service provider for purposes of statutory provisions relating to critical incident stress management and crisis response services, the substitute also includes a justice of the peace or a staff member for a justice court as an emergency service provider for those purposes, whereas the introduced did not.