

## **BILL ANALYSIS**

C.S.H.B. 3420

By: Campos

Homeland Security, Public Safety & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current state law, law enforcement agencies are required to adopt a mental health leave policy allowing the use of leave by peace officers employed by the agency who experience a traumatic event in the scope of employment. However, the bill author has informed the committee that fire fighters are currently not afforded the option to take mental health leave when they experience a traumatic event and that, with the growing suicide rate of first responders, it is important to create a pathway to immediate mental health leave for fire fighters. C.S.H.B. 3420 seeks to resolve these issues by making the mental health leave policy of an applicable employer currently available to the employer's peace officers who experience a traumatic event in the scope of employment also available to fire fighters.

### **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. 3420 amends the Government Code to make the mental health leave policy of an applicable employer that is currently available to the employer's peace officers and full-time telecommunicators who experience a traumatic event in the scope of performing their duties also available to fire fighters who experience a traumatic event in the scope of performing their duties as fire fighters for the employer. The bill requires each applicable employer to develop a mental health leave policy as revised under the bill's provisions as soon as practicable after the bill's effective date.

C.S.H.B. 3420 removes the definition of "law enforcement agency," which is currently applicable to the employment of peace officers and full-time telecommunicators. However, the bill retains the current definition of "telecommunicator," defines the following terms, and makes each such definition applicable to the bill's provisions:

- "employer" as a governmental entity that employs or appoints a peace officer, fire fighter, or telecommunicator or that the peace officer or fire fighter is elected to serve; and
- "fire fighter" and "peace officer" by reference to the meaning assigned to those terms by provisions relating to legislative leave for peace officers or fire fighters.

## **EFFECTIVE DATE**

September 1, 2025.

## **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 3420 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.

The substitute omits provisions from the introduced that did the following:

- required each applicable employer of a peace officer or fire fighter to do the following:
  - ensure that a mental health professional or peer support advisor performs an annual mental health evaluation of each of the employer's peace officers and fire fighters as part of the peace officer's or fire fighter's performance review; and
  - provide the following to a peace officer or fire fighter who experiences a traumatic event in the scope of performing their duties as a peace officer or fire fighter for the employer:
    - a mental health evaluation performed by a mental health professional or peer support advisor; and
    - an opportunity to receive mental health counseling;
- defined the term "peer support advisor"; and
- established that these requirements applied only to a performance review of a peace officer or fire fighter conducted and to a traumatic event that occurred on or after the bill's effective date.