

BILL ANALYSIS

Senate Research Center
89R25506 JSC-F

H.B. 4995
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Tactical medical professionals have become a crucial component of high-risk law enforcement operations, yet they are not clearly defined or recognized under current law. These professionals are often on the front lines during critical situations, such as active shooter events or hostage rescues, where their expertise in trauma care can be lifesaving. Without explicit legal recognition, they may face legal ambiguity or delays in receiving necessary protections, potentially undermining their ability to respond effectively. While legal protections are already in place for governmental units and certain first responders, it is vital to extend these protections to tactical medical professionals to ensure their safety and effectiveness in supporting public safety efforts.

H.B. 4995 seeks to address this gap by granting civil liability immunity to government units for incidents arising from the discharge of a firearm by tactical medical professionals. The bill also provides a defense to criminal prosecution for these medical professionals if they carry a firearm while acting within the scope of their duties. Additionally, the bill mandates that the Department of Public Safety of the State of Texas (DPS) establish training and certification standards to ensure their preparedness and accountability.

H.B. 4995 amends current law relating to the carrying of handguns by tactical medical professionals while on duty providing support to tactical units of law enforcement agencies.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the public safety director in SECTION 4 (Section 411.1884, Government Code) of this bill.

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 4 (Section 411.1884, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 112.001, Civil Practice and Remedies Code, to read as follows:

Sec. 112.001. CERTAIN ACTIONS OF FIRST RESPONDERS, TACTICAL MEDICAL PROFESSIONALS, AND VOLUNTEER EMERGENCY SERVICES PERSONNEL.

SECTION 2. Amends Section 112.001(a), Civil Practice and Remedies Code, by adding Subdivision (3) to define "tactical medical professional."

SECTION 3. Amends Sections 112.001(b) and (c), Civil Practice and Remedies Code, as follows:

(b) Provides that a governmental unit is not liable in a civil action arising from the discharge of a handgun by an individual who is a first responder, tactical medical professional, or volunteer emergency services personnel and licensed to carry the

handgun under Subchapter H (License to Carry a Handgun), Chapter 411 (Department of Public Safety of the State of Texas), Government Code.

(c) Makes conforming changes to this subsection.

SECTION 4. Amends Subchapter H, Chapter 411, Government Code, by adding Section 411.1884, as follows:

Sec. 411.1884. TRAINING COURSE FOR TACTICAL MEDICAL PROFESSIONALS.

(a) Defines "tactical medical professional."

(b) Requires the public safety director (director), in consultation with the Texas Commission on Law Enforcement (TCOLE), by rule to establish minimum standards for an initial training course that a tactical medical professional who is a license holder is authorized to complete to receive a certification of completion from the Department of Public Safety of the State of Texas (DPS) under this section. Requires that the training course be administered by a qualified handgun instructor, provide classroom training and field instruction in the use of handguns, and require physical demonstrations of proficiency in techniques learned in training.

(c) Requires DPS, in consultation with TCOLE, by rule to establish minimum standards for an annual continuing education course that is administered by a qualified handgun instructor for a tactical medical professional who has completed the initial training course described by Subsection (b).

(d) Requires DPS to issue a certificate of completion to a tactical medical professional who is a license holder and who completes the initial training course under Subsection (b) or the continuing education course under Subsection (c), as applicable. Provides that a certificate of completion expires on the first anniversary of issuance.

(e) Provides that a tactical medical professional is responsible for paying to the course provider the costs of a training course under this section.

SECTION 5. Amends Section 30.06, Penal Code, by adding Subsection (f-2), as follows:

(f-2) Provides that it is a defense to prosecution under Section 30.06 (Trespass by License Holder With a Concealed Handgun) that the license holder is a tactical medical professional, as defined by Section 411.1884, Government Code, who holds an unexpired certificate of completion under Section 411.1884, Government Code, at the time of engaging in the applicable conduct and was engaged in the actual discharge of the tactical medical professional's duties while carrying the handgun.

SECTION 6. Amends Section 30.07, Penal Code, by adding Subsection (g-2), as follows:

(g-2) Provides that it is a defense to prosecution under Section 30.07 (Trespass by License Holder With an Openly Carried Handgun) that the license holder is a tactical medical professional, as defined by Section 411.1884, Government Code, who holds an unexpired certificate of completion under Section 411.1884, Government Code, at the time of engaging in the applicable conduct and was engaged in the actual discharge of the tactical medical professional's duties while carrying the handgun.

SECTION 7. Amends Section 46.15, Penal Code, by adding Subsection (s), as follows:

(s) Defines "tactical medical professional." Provides that Sections 46.02 (Unlawful Carrying Weapons) and 46.03 (Places Weapons Prohibited) do not apply to a tactical medical professional who was carrying a handgun in a concealed manner or in a shoulder or belt holster, holds an unexpired certificate of completion under Section 411.1884, Government Code, at the time of engaging in the applicable conduct, and was engaged in

the actual discharge of the tactical medical professional's duties while carrying the handgun.

SECTION 8. Requires the director to adopt the rules necessary to implement Section 411.1884, Government Code, as added by this Act, not later than December 1, 2025.

SECTION 9. Prohibits a qualified handgun instructor from offering the training course described by Section 411.1884(b), Government Code, as added by this Act, before January 1, 2026.

SECTION 10. Makes application of Section 112.001, Civil Practice and Remedies Code, as amended by this Act, prospective.

SECTION 11. Makes application of Sections 30.06, 30.07, and 46.15 (Nonapplicability), Penal Code, as amended by this Act, prospective.

SECTION 12. Effective date: September 1, 2025.