

By: Thompson

H.B. No. 888

A BILL TO BE ENTITLED

AN ACT

relating to the duty of a peace officer to request and render aid
for an injured person.

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

SECTION 1. Article 2B.0301(b), Code of Criminal Procedure,
is amended to read as follows:

(b) The peace officer is not required to request emergency
medical services or provide first aid or treatment under Subsection
(a) if:

(1) making the request or providing the treatment
would expose the officer or another person to a likely risk of
serious bodily injury; or

(2) the officer is injured and physically unable to
make the request or provide the treatment.

SECTION 2. Section 1701.2551(b), Occupations Code, is
amended to read as follows:

(b) The basic peace officer training course must include
training on:

(1) the prohibition against the intentional use of a
choke hold, carotid artery hold, or similar neck restraint by a
peace officer in searching or arresting a person, unless the
officer reasonably believes the restraint is necessary to prevent
serious bodily injury to or the death of the peace officer or
another person;

1 (2) the duty of a peace officer to intervene to stop or
2 prevent another peace officer from using force against a person
3 suspected of committing an offense if:

4 (A) the amount of force exceeds that which is
5 reasonable under the circumstances; and

6 (B) the officer knows or should know that the
7 other officer's use of force:

8 (i) violates state or federal law;

9 (ii) puts a person at risk of bodily injury,
10 as that term is defined by Section 1.07, Penal Code, and is not
11 immediately necessary to avoid imminent bodily injury to a peace
12 officer or other person; and

13 (iii) is not required to apprehend the
14 person suspected of committing an offense; and

15 (3) the duty of a peace officer ~~[who encounters an~~
16 ~~injured person while discharging the officer's official duties]~~ to
17 ~~[immediately and as necessary]~~ request ~~[emergency medical services~~
18 ~~personnel to provide the person with emergency medical services]~~
19 and render ~~[, while waiting for emergency medical services~~
20 ~~personnel to arrive, provide first]~~ aid for an injured ~~[or~~
21 ~~treatment to the]~~ person as prescribed by Article 2B.0301, Code of
22 Criminal Procedure ~~[to the extent of the officer's skills and~~
23 ~~training, unless the request for emergency medical services~~
24 ~~personnel or the provision of first aid or treatment would expose~~
25 ~~the officer or another person to a risk of bodily injury or the~~
26 ~~officer is injured and physically unable to make the request or~~
27 ~~provide the treatment]~~.

SECTION 3. Section 1701.269(b), Occupations Code, is amended to read as follows:

(b) The model training curriculum and model policies developed under Subsection (a) must include:

(1) curriculum and policies for banning the use of a choke hold, carotid artery hold, or similar neck restraint by a peace officer in searching or arresting a person, unless the officer reasonably believes the restraint is necessary to prevent serious bodily injury to or the death of the peace officer or another person;

(2) curriculum and policies regarding the duty of a peace officer to intervene to stop or prevent another peace officer from using force against a person suspected of committing an offense if:

(A) the amount of force exceeds that which is reasonable under the circumstances; and

(B) the officer knows or should know that the other officer's use of force:

(i) violates state or federal law;

(ii) puts a person at risk of bodily injury, as that term is defined by Section 1.07, Penal Code, and is not immediately necessary to avoid imminent bodily injury to a peace officer or other person; and

(iii) is not required to apprehend the person suspected of committing an offense; and

(3) curriculum and policies regarding the duty of a peace officer ~~[who encounters an injured person while discharging~~

~~the officer's official duties] to [immediately and as necessary]~~
~~request [emergency medical services personnel to provide the person~~
~~with emergency medical services] and render [, while waiting for~~
~~emergency medical services personnel to arrive, provide first] aid~~
~~for an injured [or treatment to the] person as prescribed by Article~~
~~2B.0301, Code of Criminal Procedure [to the extent of the officer's~~
~~skills and training, unless the request for emergency medical~~
~~services personnel or the provision of first aid or treatment would~~
~~expose the officer or another person to a risk of bodily injury or~~
~~the officer is injured and physically unable to make the request or~~
~~provide the treatment].~~

SECTION 4. This Act takes effect September 1, 2025.