

By: Wilson

H.B. No. 4995

Substitute the following for H.B. No. 4995:

By: Hefner

C.S.H.B. No. 4995

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. The heading to Section 112.001, Civil Practice and Remedies Code, is amended to read as follows:

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

SECTION 2. Section 112.001(a), Civil Practice and Remedies Code, is amended by adding Subdivision (3) to read as follows:

(3) "Tactical medical professional" has the meaning assigned by Section 411.1884, Government Code.

SECTION 3. Sections 112.001(b) and (c), Civil Practice and Remedies Code, are amended to read as follows:

(b) 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, Chapter 411, Government Code.

(c) 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, Chapter 411, Government Code, is outside the

1 course and scope of the individual's duties as a first responder,
2 tactical medical professional, or volunteer emergency services
3 personnel, as applicable.

4 SECTION 4. Subchapter H, Chapter 411, Government Code, is
5 amended by adding Section 411.1884 to read as follows:

6 Sec. 411.1884. TRAINING COURSE FOR TACTICAL MEDICAL
7 PROFESSIONALS. (a) In this section, "tactical medical
8 professional" means a person who:

9 (1) is a physician licensed under Subtitle B, Title 3,
10 Occupations Code, or emergency medical services personnel, as
11 defined by Section 773.003, Health and Safety Code; and

12 (2) is employed or otherwise appointed by the head of a
13 law enforcement agency to provide direct support to a tactical unit
14 of the agency responding to a high-risk incident by providing
15 medical services to victims, officers, and other persons at the
16 incident.

17 (b) The director, in consultation with the Texas Commission
18 on Law Enforcement, by rule shall establish minimum standards for
19 an initial training course that a tactical medical professional who
20 is a license holder may complete to receive a certification of
21 completion from the department under this section. The training
22 course must:

23 (1) be administered by a qualified handgun instructor;

24 (2) provide classroom training and field instruction
25 in the use of handguns; and

26 (3) require physical demonstrations of proficiency in
27 techniques learned in training.

1 (c) The department, in consultation with the Texas
2 Commission on Law Enforcement, by rule shall establish minimum
3 standards for an annual continuing education course that is
4 administered by a qualified handgun instructor for a tactical
5 medical professional who has completed the initial training course
6 described by Subsection (b).

7 (d) The department shall issue a certificate of completion
8 to a tactical medical professional who is a license holder and who
9 completes the initial training course under Subsection (b) or the
10 continuing education course under Subsection (c), as applicable. A
11 certificate of completion expires on the first anniversary of
12 issuance.

13 (e) A tactical medical professional is responsible for
14 paying to the course provider the costs of a training course under
15 this section.

16 SECTION 5. Section 30.06, Penal Code, is amended by adding
17 Subsection (f-2) to read as follows:

18 (f-2) It is a defense to prosecution under this section that
19 the license holder is a tactical medical professional, as defined
20 by Section 411.1884, Government Code, who:

21 (1) holds an unexpired certificate of completion under
22 Section 411.1884, Government Code, at the time of engaging in the
23 applicable conduct; and

24 (2) was engaged in the actual discharge of the
25 tactical medical professional's duties while carrying the handgun.

26 SECTION 6. Section 30.07, Penal Code, is amended by adding
27 Subsection (g-2) to read as follows:

1 (g-2) It is a defense to prosecution under this section that
2 the license holder is a tactical medical professional, as defined
3 by Section 411.1884, Government Code, who:

4 (1) holds an unexpired certificate of completion under
5 Section 411.1884, Government Code, at the time of engaging in the
6 applicable conduct; and

7 (2) was engaged in the actual discharge of the
8 tactical medical professional's duties while carrying the handgun.

9 SECTION 7. Section 46.15, Penal Code, is amended by adding
10 Subsection (s) to read as follows:

11 (s) In this subsection, "tactical medical professional" has
12 the meaning assigned by Section 411.1884, Government Code.
13 Sections 46.02 and 46.03 do not apply to a tactical medical
14 professional who:

15 (1) was carrying a handgun in a concealed manner or in
16 a shoulder or belt holster;

17 (2) holds an unexpired certificate of completion under
18 Section 411.1884, Government Code, at the time of engaging in the
19 applicable conduct; and

20 (3) was engaged in the actual discharge of the
21 tactical medical professional's duties while carrying the handgun.

22 SECTION 8. The public safety director of the Department of
23 Public Safety shall adopt the rules necessary to implement Section
24 411.1884, Government Code, as added by this Act, not later than
25 December 1, 2025.

26 SECTION 9. A qualified handgun instructor may not offer the
27 training course described by Section 411.1884(b), Government Code,

as added by this Act, before January 1, 2026.

SECTION 10. Section 112.001, Civil Practice and Remedies Code, as amended by this Act, applies only to a cause of action that accrues on or after September 1, 2025. A cause of action that accrues before September 1, 2025, is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

SECTION 11. The changes in law made by this Act in amending Sections 30.06, 30.07, and 46.15, Penal Code, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 12. This Act takes effect September 1, 2025.