

By: Wilson

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; and

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

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

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

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

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

27 (c) The department, in consultation with the Texas

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

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

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

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

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

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

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

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

27 (g-2) It is a defense to prosecution under this section that

1 the license holder is a tactical medical professional, as defined
2 by Section 411.1884, Government Code, who:

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

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

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

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

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

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

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

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

25 SECTION 9. A qualified handgun instructor may not offer the
26 training course described by Section 411.1884(b), Government Code,
27 as added by this Act, before January 1, 2026.

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

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

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