

1-1 By: Anderson (Senate Sponsor - Birdwell) H.B. No. 4236
 1-2 (In the Senate - Received from the House May 13, 2019;
 1-3 May 14, 2019, read first time and referred to Committee on Criminal
 1-4 Justice; May 17, 2019, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Huffman			X	
1-9 Buckingham	X			
1-10 Flores	X			
1-11 Hughes	X			
1-12 Miles	X			
1-13 Perry	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to permitting the viewing of certain body worn camera
 1-18 recordings.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 1701.660, Occupations Code, is amended
 1-21 by amending Subsection (a) and adding Subsection (a-1) to read as
 1-22 follows:

1-23 (a) Except as provided by Subsections (a-1) and
 1-24 ~~Subsection~~ (b), a recording created with a body worn camera and
 1-25 documenting an incident that involves the use of deadly force by a
 1-26 peace officer or that is otherwise related to an administrative or
 1-27 criminal investigation of an officer may not be deleted, destroyed,
 1-28 or released to the public until all criminal matters have been
 1-29 finally adjudicated and all related administrative investigations
 1-30 have concluded.

1-31 (a-1) A law enforcement agency may permit a person who is
 1-32 depicted in a recording of an incident described by Subsection (a)
 1-33 or, if the person is deceased, the person's authorized
 1-34 representative, to view the recording, provided that the law
 1-35 enforcement agency determines that the viewing furthers a law
 1-36 enforcement purpose and provided that any authorized
 1-37 representative who is permitted to view the recording was not a
 1-38 witness to the incident. A person viewing a recording may not
 1-39 duplicate the recording or capture video or audio from the
 1-40 recording. A permitted viewing of a recording under this
 1-41 subsection is not considered to be a release of public information
 1-42 for purposes of Chapter 552, Government Code.

1-43 SECTION 2. The change in law made by this Act applies to a
 1-44 recording held by a law enforcement agency on or after the effective
 1-45 date of this Act, regardless of whether the recording was created
 1-46 before, on, or after that date.

1-47 SECTION 3. This Act takes effect September 1, 2019.

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