

1-1 By: Frazier, et al. (Senate Sponsor - Johnson) H.B. No. 3858
1-2 (In the Senate - Received from the House May 15, 2023;
1-3 May 16, 2023, read first time and referred to Committee on Criminal
1-4 Justice; May 19, 2023, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Flores	X		
1-10	Bettencourt	X		
1-11	Hinojosa	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

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

1-17 relating to peace officer wellness programs within certain law
1-18 enforcement agencies.

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

1-20 SECTION 1. Subtitle B, Title 4, Government Code, is amended
1-21 by adding Chapter 425 to read as follows:

1-22 CHAPTER 425. PEACE OFFICER WELLNESS PROGRAM

1-23 SUBCHAPTER A. GENERAL PROVISIONS

1-24 Sec. 425.001. DEFINITIONS. In this chapter:

1-25 (1) "Commission" means the Health and Human Services
1-26 Commission.

1-27 (2) "Fund" means the peace officer wellness fund.

1-28 (3) "Law enforcement agency" means a state agency or
1-29 political subdivision of this state that employs at least 20 peace
1-30 officers described by Article 2.12(1), (3), (4), (8), or (10), Code
1-31 of Criminal Procedure, to answer emergency calls for service or
1-32 conduct patrol operations, traffic enforcement, or criminal
1-33 investigations.

1-34 (4) "Violent incident" means an incident involving a
1-35 peace officer that occurs while the officer is performing official
1-36 duties and that poses a substantial risk of serious harm to the
1-37 officer's mental health or well-being, including responding to a
1-38 homicide, suicide, or fatal motor vehicle accident.

1-39 SUBCHAPTER B. WELLNESS PROGRAM

1-40 Sec. 425.051. ESTABLISHMENT OF PROGRAM. A law enforcement
1-41 agency may establish and maintain a wellness program for the
1-42 agency's peace officers.

1-43 Sec. 425.052. PROGRAM REQUIREMENTS. A law enforcement
1-44 agency that establishes a wellness program must ensure the program
1-45 complies with any requirements established by the commission and is
1-46 available to each peace officer who has routinely responded to and
1-47 may have been affected by a violent incident. The program at a
1-48 minimum must provide:

1-49 (1) an initial telephone call or other form of contact
1-50 from an agency representative to monitor the mental and physical
1-51 well-being of a peace officer who may have been affected by a
1-52 violent incident; and

1-53 (2) information regarding mental health resources,
1-54 including counseling and therapy services, to a peace officer who
1-55 is struggling to cope with the effect on the officer of responding
1-56 to a violent incident.

1-57 SUBCHAPTER C. PEACE OFFICER WELLNESS FUND AND GRANT PROGRAM

1-58 Sec. 425.101. FUND. (a) The peace officer wellness fund is
1-59 an account in the general revenue fund.

1-60 (b) The fund is composed of:

1-61 (1) money appropriated to the fund by the legislature;

2-28