

1-1 By: Giddings, et al. (Senate Sponsor - Hughes) H.B. No. 2619  
 1-2 (In the Senate - Received from the House May 10, 2017;  
 1-3 May 17, 2017, read first time and referred to Committee on Criminal  
 1-4 Justice; May 21, 2017, reported favorably by the following vote:  
 1-5 Yeas 8, Nays 0; May 21, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to grant programs to maintain peace officers' mental  
 1-20 health and provide critical incident stress debriefing for certain  
 1-21 officers.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter A, Chapter 772, Government Code, is  
 1-24 amended by adding Section 772.0073 to read as follows:

1-25 Sec. 772.0073. PEACE OFFICER MENTAL HEALTH GRANT PROGRAM.

1-26 (a) In this section:

1-27 (1) "Law enforcement agency" means an agency of the  
 1-28 state or an agency of a political subdivision of the state  
 1-29 authorized by law to employ peace officers.

1-30 (2) "Criminal justice division" means the criminal  
 1-31 justice division established under Section 772.006.

1-32 (b) The criminal justice division shall establish and  
 1-33 administer a grant program through which a law enforcement agency  
 1-34 may apply for a grant to implement programs, practices, and  
 1-35 services designed to address the direct or indirect emotional harm  
 1-36 suffered by peace officers employed by the law enforcement agency  
 1-37 in the course of the officers' duties or as the result of the  
 1-38 commission of crimes by other persons.

1-39 (c) Grant money awarded under this section may be used to  
 1-40 pay for:

1-41 (1) mental health counseling and other mental health  
 1-42 care;

1-43 (2) personnel costs incurred by the department as a  
 1-44 result of providing direct services and supporting activities under  
 1-45 an implemented program, practice, or service;

1-46 (3) skills training for department personnel related  
 1-47 to providing direct services under an implemented program,  
 1-48 practice, or service; and

1-49 (4) evaluation of an implemented program, practice, or  
 1-50 service to determine its effectiveness.

1-51 (d) Information obtained in the administration of a  
 1-52 program, practice, or service funded by a grant made under this  
 1-53 section is confidential and is not subject to disclosure under  
 1-54 Chapter 552.

1-55 (e) A law enforcement agency may not use against a peace  
 1-56 officer in a departmental proceeding any information obtained in  
 1-57 the administration of a program, practice, or service funded by a  
 1-58 grant made under this section.

1-59 (f) The criminal justice division shall establish:

1-60 (1) eligibility criteria for grant applicants;

1-61 (2) grant application procedures;

2-1 (3) guidelines relating to grant amounts;  
 2-2 (4) procedures for evaluating grant applications; and  
 2-3 (5) procedures for monitoring the use of a grant  
 2-4 awarded under the program and ensuring compliance with any  
 2-5 conditions of a grant.

2-6 (g) The criminal justice division shall evaluate and  
 2-7 compare the programs, practices, and services implemented by each  
 2-8 law enforcement agency that receives a grant under this section to  
 2-9 determine the most successful programs, practices, and services for  
 2-10 maintaining the mental health of peace officers.

2-11 (h) The criminal justice division may contract with a third  
 2-12 party to conduct the evaluations and comparison described by  
 2-13 Subsection (g).

2-14 (i) The criminal justice division shall include in the  
 2-15 biennial report required by Section 772.006(a)(9) a detailed  
 2-16 reporting of the results and performance of the grant program  
 2-17 administered under this section.

2-18 (j) The criminal justice division may use any available  
 2-19 funds to implement this section.

2-20 SECTION 2. Subchapter A, Chapter 772, Government Code, is  
 2-21 amended by adding Section 772.0074 to read as follows:

2-22 Sec. 772.0074. CRITICAL INCIDENT STRESS DEBRIEFING GRANT  
 2-23 PROGRAM. (a) In this section:

2-24 (1) "Criminal justice division" means the criminal  
 2-25 justice division established under Section 772.006.

2-26 (2) "Critical incident" means an incident involving a  
 2-27 peace officer that occurs while the officer is performing official  
 2-28 duties and that results in serious bodily injury to the officer or  
 2-29 poses a substantial risk of serious bodily injury or death to the  
 2-30 officer or of serious harm to the officer's mental health or  
 2-31 well-being.

2-32 (3) "Law enforcement agency" means an agency of the  
 2-33 state or an agency of a political subdivision of the state that is  
 2-34 authorized by law to employ peace officers.

2-35 (4) "Peace officer" has the meaning assigned by  
 2-36 Article 2.12, Code of Criminal Procedure.

2-37 (b) The criminal justice division shall establish and  
 2-38 administer a grant program to assist law enforcement agencies in  
 2-39 providing critical incident stress debriefing to peace officers who  
 2-40 experience critical incidents while performing official duties.

2-41 (c) The criminal justice division may award a grant under  
 2-42 this section to:

2-43 (1) a law enforcement agency for the agency to provide  
 2-44 critical incident stress debriefing to peace officers employed by  
 2-45 the agency; or

2-46 (2) any other agency, organization with a focus on  
 2-47 mental health or trauma-related issues, or university with relevant  
 2-48 expertise and experience to assist in providing support for the  
 2-49 grant program, including support related to the development,  
 2-50 implementation, management, or evaluation of the grant program, as  
 2-51 determined necessary by the division.

2-52 (d) A law enforcement agency that receives a grant under  
 2-53 this section must:

2-54 (1) inform each peace officer employed by the agency  
 2-55 about:

2-56 (A) the program, including opportunities to  
 2-57 participate in the program; and

2-58 (B) if the officer participates in the program,  
 2-59 the confidentiality protections described by Subsection (e); and

2-60 (2) certify in writing that the agency will not use  
 2-61 disciplinary action or any other form of punishment, including the  
 2-62 refusal of a promotion, to discourage or prohibit an officer's  
 2-63 participation in the critical incident stress debriefing offered by  
 2-64 the agency.

2-65 (e) Critical incident stress debriefing provided using  
 2-66 money distributed under the grant program is subject to the  
 2-67 confidentiality protections provided under Section 784.003, Health  
 2-68 and Safety Code.

2-69 (f) The criminal justice division shall establish:

- 3-1 (1) eligibility criteria for grant applicants;
- 3-2 (2) grant application procedures;
- 3-3 (3) procedures for evaluating grant applications;
- 3-4 (4) the minimum qualifications necessary for a person
- 3-5 to conduct critical incident stress debriefing that is provided
- 3-6 using money distributed under the grant program; and
- 3-7 (5) guidance for the development of critical incident
- 3-8 stress debriefing curricula, materials, and best practices.
- 3-9 (g) The criminal justice division shall include in the
- 3-10 biennial report required by Section 772.006(a)(9) a detailed
- 3-11 reporting of the results and performance of the grant program
- 3-12 administered under this section.

3-13 SECTION 3. Not later than October 1, 2017, the criminal  
3-14 justice division of the governor's office shall establish the grant  
3-15 program required by Section 772.0074, Government Code, as added by  
3-16 this Act, and, not later than January 1, 2018, shall begin to award  
3-17 grants under the program.

3-18 SECTION 4. This Act takes effect September 1, 2017.

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