

## **BILL ANALYSIS**

H.B. 2302  
By: White  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the absence of an explicit offense for a peace officer who intentionally or knowingly makes a false statement in an official incident report. It has been suggested that incorporating language into statute that provides clear guidelines on how to handle false statements by peace officers would not only increase accountability but also facilitate the resolution of litigation. H.B. 2302 seeks to address this issue by creating a Class A misdemeanor offense for a peace officer who makes a false statement in an incident report.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2302 amends the Penal Code to create a Class A misdemeanor offense for a peace officer who intentionally or knowingly makes a false statement in a report the officer files with their employing law enforcement agency regarding the commission or investigation of an offense. It is an exception to the application of the offense that the officer attributes the false statement to another person in the report.

### **EFFECTIVE DATE**

September 1, 2021.