

## **BILL ANALYSIS**

Senate Research Center  
88R19269 MPF-F

H.B. 3858  
By: Frazier et al. (Johnson)  
Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Peace officers, while acting in their official duties, are often exposed to high stress and traumatic events. Naturally, this can take a toll on an officer's well-being. The state should empower law enforcement agencies to take additional steps to help ensure officers' mental health needs are being met. H.B. 3858 seeks to authorize qualifying law enforcement agencies to establish and maintain a wellness program for the agency's peace officers and provides for the establishment of a state grant program to assist in the maintenance of these programs.

H.B. 3858 amends current law relating to peace officer wellness programs within certain law enforcement agencies.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle B, Title 4, Government Code, by adding Chapter 425, as follows:

#### **CHAPTER 425. PEACE OFFICER WELLNESS PROGRAM**

##### **SUBCHAPTER A. GENERAL PROVISIONS**

Sec. 425.001. DEFINITIONS. Defines "commission," "fund," "law enforcement agency," and "violent incident."

##### **SUBCHAPTER B. WELLNESS PROGRAM**

Sec. 425.051. ESTABLISHMENT OF PROGRAM. Authorizes a law enforcement agency to establish and maintain a wellness program for the agency's peace officers.

Sec. 425.052. PROGRAM REQUIREMENTS. Requires a law enforcement agency that establishes a wellness program to ensure the program complies with any requirements established by the Health and Human Services Commission (HHSC) and is available to each peace officer who has routinely responded to and may have been affected by a violent incident. Requires that the program, at a minimum provide:

- (1) an initial telephone call or other form of contact from an agency representative to monitor the mental and physical well-being of a peace officer who may have been affected by a violent incident; and
- (2) information regarding mental health resources, including counseling and therapy services, to a peace officer who is struggling to cope with the effect on the officer of responding to a violent incident.

##### **SUBCHAPTER C. PEACE OFFICER WELLNESS FUND AND GRANT PROGRAM**

Sec. 425.101. FUND. (a) Provides that the peace officer wellness fund (fund) is an account in the general revenue fund.

(b) Provides that the fund is composed of:

- (1) money appropriated to the fund by the legislature;
- (2) gifts and grants contributed to the fund; and
- (3) the earnings of the fund.

(c) Authorizes money in the fund to be appropriated only to HHSC. Authorizes HHSC to use the money only for making grants under Section 425.102.

Sec. 425.102. PEACE OFFICER WELLNESS GRANT PROGRAM. (a) Requires HHSC to establish and administer a grant program to assist law enforcement agencies in establishing and maintaining peace officer wellness programs as required under Subchapter B.

(b) Requires HHSC to establish:

- (1) eligibility criteria for grant applicants;
- (2) grant application procedures;
- (3) guidelines relating to grant amounts;
- (4) procedures for evaluating grant applications;
- (5) guidelines relating to the use of a grant awarded under the program, including the reimbursement of costs associated with the provision of counseling and therapy services to peace officers participating in a wellness program; and
- (6) procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any condition of a grant.

SECTION 2. Requires the executive commissioner of HHSC to prescribe any necessary requirements for peace officer wellness programs established under Chapter 425, Government Code, as added by this Act, not later than January 1, 2024.

SECTION 3. Effective date: September 1, 2023.