

Memorandum



CITY OF DALLAS

DATE March 3, 2023

TO Honorable Mayor and Members of the City Council
Adam McGough (Chair), Cara Mendelsohn (Vice Chair), Tennell Atkins, Jesse Moreno, Jaime Resendez, Casey Thomas, Gay Donnell Willis

SUBJECT **Legislation relating to Public Safety**

On October 26, 2022, the Dallas City Council adopted [legislative goals for the 88th Texas Legislature](#) (Resolution 22-1637). The goals include supporting legislation that provides additional resources for local governmental law enforcement agencies for public safety.

On Tuesday, January 10, 2023, the 88th Texas Legislative Session convened. To ensure transparency and thorough communications to elected leadership, the purpose of this memorandum is to provide the Public Safety Committee with a high-level overview of proposed state legislation that is expected to have an impact on the City. This list includes bills filed through Monday, February 27, 2023.

Public Safety-related bills include, but are not limited to the following:

H.B. 136 (Reynolds) – Risk Protective Orders: would among other things (1) outline the requirements to file an application for extreme risk protective order as a result of a firearm or family violence; (2) maintain victims' confidentiality; (3) allow the court to issue a temporary ex-parte order prohibiting the abuser to purchase, own a firearm or licenses to carry a handgun.

H.B.178 (Murr) – Fentanyl Testing: would require that all evidence collected that may be of a controlled substance be submitted to a laboratory for testing.

H.B. 718 (Goldman) – Temporary Paper Tags: would (1) create further penalties for misuse of paper tags and essentially does away with temporary paper tags; (2) Dealers would be assigned a set number of metal plates to have on hand and would be responsible for their safekeeping; (3) Governmental vehicles would be subject to the same provisions and dealer vehicles and therefore exempt from these new provisions.

H.B. 914 (Hefner) – Temporary Paper Tags: would (1) define and outline the consequence for tampering with temporary paper tags and governmental record.

H.B. 1004 (Shaheen) – Human Trafficking: would, among other things (1) amend Section 20A.01, Penal Code, to include and define a person with disability; (2) prostitution; (3) and sexual abuse as it relates to human trafficking.

"Our Product is Service"

Empathy | Ethics | Excellence | Engagement | Equity

H.B. 1019 (Reynolds) – Re-entry Services: would, among other things (1) outline the reentry and reintegration programs provided by the Texas Department of Criminal Justice; (2) require the programs to begin as soon as practicable after the offender is taken into custody; (3) provide a comprehensive network of transition programs to address the needs of offenders released or discharged after completion of their sentence.

H.B. 1995 (Goodwin) – Firearm Sales: would, among other things: (1) require a licensed firearms dealer to report to the Department of Public Safety (DPS) the sale or transfer of two or more semiautomatic rifles made to the same transferee, other than a licensed firearms dealer, on a single occasion or on more than one occasion during a period of five consecutive business days; (2) provide that not later than 24 hours after receiving a report from a licensed firearms dealer under (1), above, DPS shall transmit the report to: (a) the sheriff of each county in which the applicable sales or transfers occurred; (b) the sheriff of the county in which the transferee resides; (c) if any of the applicable sales or transfers occurred in a city, the police department of each city in which the applicable sales or transfers occurred; and (d) if the transferee resides in a city, the police department of the city in which the transferee resides; (3) provide that information in a report submitted to a county sheriff or a police department under (2), above, is confidential and not subject to disclosure under the Public Information Act; and (4) create a class B criminal offense for a licensed firearms dealer who, with criminal negligence, violates (1), above.

H.B. 2003 (Slawson) – Direct Shipment of Alcohol: would, among other things: (1) permit a holder of a distiller's and rectifier's permit to deliver distilled spirits directly to the ultimate consumer, including a consumer located in a dry area; (2) permit a holder of an out-of-state distillery direct shipper's permit to deliver to Texas; (3) permit the holder of a brewer's license to ship malt beverages directly to the ultimate consumer, including a consumer located in a dry area; (4) permit the holder of an out-of-state brewery direct shipper's license to ship to Texas; and (5) permit the holder of a brewpub license to ship malt beverages to the ultimate consumer, including a consumer in a dry area. Distilled spirits and malt beverages shipped under this provision would be required to be shipped only to a person over 21 years of age. (Companion bill is **S.B. 752 by Flores.**)

H.B. 2009 (Allison) – Mobile Panic Alert System: would, among other things: (1) require each school district and open-enrollment charter school, in consultation with local law enforcement agencies, to implement a mobile panic alert system to send emergency alerts to district or school emergency services and emergency services agencies, law enforcement agencies, health departments, and fire departments; and (2) provide that the mobile panic alert system must: (a) allow for immediate contact with district or school emergency services, emergency services agencies, law enforcement agencies, health departments, and fire departments; (b) ensure real-time coordination between first responder agencies; (c) integrate directly with local public safety answering point infrastructure to transmit 9-1-1 telephone calls; and (d) be capable of activation by mobile telephone.

H.B. 2010 (Hefner) – Abandoned Children: would add fire departments and law enforcement agencies to the list of emergency infant care providers who must take possession of certain abandoned children. (Companion bill is **S.B. 780** by **Hughes**.)

H.B. 2032 (Allison) – Emergency Response Mapping Data: would, among other things, require school districts and open-enrollment charter schools to provide local law enforcement agencies and emergency first responders with emergency response mapping data including: (1) accurate floor plans overlaid on current aerial imagery of a school building; (2) site-specific labeling that matches the structure of the school building; (3) site-specific labeling that matches the school grounds; and (4) a standardized gridded overlay with X and Y coordinates for all school campuses and buildings. (Companion bill is **S.B. 866** by **Hughes**.)

H.B. 2038 (Allison) – Asset Forfeiture Funds: would require county attorneys and district attorneys that have executed a local agreement with a law enforcement agency for disbursement of asset forfeiture funds and that are located in a county that borders the United Mexican States to: (1) establish and administer a program to reimburse persons who have suffered damage to agricultural property as a result of an offense that: (a) is subject to the jurisdiction of the office; and (b) was committed in the course of or for the purpose of unlawfully entering the United States; (2) establish: (a) eligibility criteria for reimbursements under (1), above; (b) reimbursement application procedures; and (c) procedures for evaluating reimbursement applications; and (3) use asset forfeiture proceeds received by the office for the purposes of providing reimbursements under (1), above.

H.B. 2051 (Zwiener) – Sexual Assault Statistics: would require the Department of Public Safety to: (1) compile and maintain statistics on the number of victims of sexual assault in each calendar year who have reported the sexual assault to a law enforcement agency after receiving a forensic medical examination, regardless of the year in which that examination was performed; (2) report the statistics in (1), above, to the standing committees of the House of Representatives and Senate with primary jurisdiction over criminal justice issues; and (3) post the statistics in (1), above, on the department's website.

H.B. 2064 (Burns) – Peace Officers: would provide, among other things, that a peace officer who receives compensation for private employment as a patrolman, guard, extra job coordinator, or watchman is exempt from certain private security regulations (licensing, continuing education, criminal history check, etc.) if the peace officer is compensated at least at the minimum wage by the state or a political subdivision of the state. (Companion bill is **S.B. 357** by **Hall**.)

H.B. 2077 (Goodwin) – Possession of Firearms and Ammunition: would: (1) direct the Office of Court Administration of the Texas Judicial System (OCA) to develop and recommend a model policy regarding the implementation of state laws related to preventing the possession of a firearm or ammunition by persons prohibited from

possessing such items by law, and the transfer of firearms by such persons; and (2) require that the OCA's model policy: (a) be capable of being adopted by cities, counties, courts, and local law enforcement; (b) equally apply to all persons described in (1), above, under state and federal law; (c) provide clear guidance regarding the transfer and return of firearms and ammunition owned by persons described in (1), above; (c) require proof of compliance; and (d) provide due process protections.

H.B. 2084 (Landgraf) – Highway Racing: would increase the criminal penalty of racing on a highway from a Class B misdemeanor to a felony of the first degree if shown at trial that two or more individuals suffered serious bodily injury or death as a result of the offense.

H.B. 2097 (Manuel) – Family Violence Investigations: would provide that a peace officer who investigates a family violence allegation or responds to a disturbance call that may involve family violence shall physically separate the individuals at the scene and conduct an interview of the potential victim in a manner that prevents the suspect from intimidating the victim while the victim is providing statements and other evidence to the investigating peace officer.

H.B. 2229 (Goodwin) – Notice to Victims of Family Violence: this bill, known as the “Natalia Cox Act,” would, among other things: (1) require the Health and Human Services Commission to adopt a written notice in English and Spanish to be provided to victims of family violence to assist those victims in obtaining services; (2) require a peace officer who investigates a family violence allegation to provide the notice in (1), above, to any possible adult victim; and (3) provide in addition to the required notice under (1), above, a peace officer may provide additional written information regarding local resources for victims of family violence.

H.B. 2233 (Spiller) – First Responder Mental Health Training: would, among other things: (1) require the Health and Human Services Commission (HHSC) to develop a curriculum for first responder mental health awareness training; (2) require a person who provides training to first responders or first responder trainees to: (a) use the curriculum developed or adopted in (1) above; and (b) require first responders and first responder trainees to successfully complete the training; and (3) provide that as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement shall require an officer to complete the mental health awareness training curriculum developed or adopted by HHSC under (1), above.

H.B. 2278 (Anchia) – Handguns: would: (1) prohibit a state agency or political subdivision from taking any action that states or implies that a license holder who is carrying a handgun is prohibited from entering or remaining on a premises or other place owned and occupied by the governmental entity or leased to and occupied by the governmental entity, unless the license holder is prohibited from carrying a handgun on the premises under certain laws; and (2) require a resident that gives an agency or political subdivision written notice of a violation of the prohibition in (1), above, to include

in the written notice a copy of any document or the specific location of a sign found to be in violation of the prohibition.

H.B. 2281 (Anchia) – Handguns: would: (1) provide that the governing body of a city with a population of more than 500,000 shall order an election to be held on the question of whether to prohibit a person from carrying a wholly or partially visible handgun within the corporate boundaries of the city if a petition requesting the election is submitted to the governing body and is signed by a number of registered voters of the city equal to at least 10 percent of the number of voters participating in the last general election held in the city; (2) provide that if a majority of those voting at the election vote in favor of the proposition, the governing body of the city shall adopt an ordinance prohibiting a person from carrying a wholly or partially visible handgun within the corporate boundaries of the city; (3) exempt an ordinance prohibiting openly carrying a handgun within the corporate boundaries of the city and any signs or notices referring to that prohibition adopted by a city as a result of the election from the wrongful exclusion of a handgun license holder provisions and associated civil penalties; and (4) provide that the prohibition of a city from adopting regulations relating to the transfer, possession, wearing, carrying, ownership, storage, transportation, or licensing or registration of firearms, does not affect the authority of a city to regulate the open carrying of a handgun.

H.B. 2283 (Martinez) – Transporting Person with Disability Registration: would, among other things, require: (1) an application for vehicle registration to provide space for the applicant to voluntarily indicate that the applicant may transport a person with a disability; and (2) the Department of Public Safety to establish a system to include information received under (1), above, in the Texas Law Enforcement Telecommunications System for the purpose of alerting a peace officer who makes a traffic stop that the operator of the stopped vehicle may be transporting a person with a disability. (Companion bill is **S.B. 661 by LaMantia.**)

H.B. 2311 (Dutton) – Peace Officer Liability: would provide that: (1) a person injured or the estate of a person killed in an event in which five or more individuals are killed may bring an action against a state or local peace officer who: (a) responded to the event during the course of the officer's duties; and (b) failed to comply with standard operating procedures established by the officer's law enforcement agency to quickly end the event; (2) a claimant may recover in an action brought under this bill: (a) damages incurred in the event that is the basis for the action; and (b) reasonable attorney's fees and costs incurred in bringing the action; (3) limitations on public servant liability and election of remedies requirements do not apply to an action brought under this bill; and (4) a peace officer may not assert official immunity or other forms of immunity as a defense to an action brought under this bill.

H.B. 2319 (Wu) – Peace Officer Cooperation: would provide that: (1) TCOLE shall suspend or revoke the license of a peace officer who fails to cooperate, including by submitting to an interview, with a law enforcement agency during an investigation by the agency; (2) a peace officer's license may not be suspended or revoked under (1), above, solely on the grounds that the peace officer invoked the officer's right against self-

incrimination under the United States Constitution or the Texas Constitution; and (3) TCOLE shall adopt rules to implement this bill.

H.B. 2356 (Johnson) – Mobile Stroke Unit Grant Program: would, among other things, require the Health and Human Services Commission to establish and administer a grant program to provide financial assistance to stroke facilities and increase the availability of mobile stroke units in Texas.

H.B. 2382 (S. Thompson) – Crafted Precious Metal Transactions: would provide that: (1) a crafted precious metal dealer shall report each transaction to an online database that is used by law enforcement agencies to investigate offenses related to crafted precious metal and other property; (2) the Department of Public Safety by rule shall designate the database to which a dealer is required to report under (1), above; and (3) a dealer who fails to permit a peace officer to inspect crafted precious metal purchased by the dealer during regular business hours while in the dealer's possession commits a Class B misdemeanor offense. (Companion bill is **S.B. 984** by **Paxton**.)

H.B. 2395 (Manuel) – Notice to Victims of Family Violence: would provide that: (1) a peace officer who investigates an incident involving sexual assault or who responds to a disturbance call that may involve sexual assault shall provide the victim a written notice containing information about crime victims' rights; (2) at the initial contact or at the earliest possible time, the peace officer shall: (a) provide to the victim a written referral to the nearest sexual assault program and information about the statewide electronic tracking system for evidence collected in relation to a sexual assault or other sex offense; (b) offer to request a forensic medical examination on behalf of the victim; (c) coordinate with the local response team to provide continuing care to the victim or to further investigate the offense; and (d) provide to the victim written notice containing certain information required under this bill; (3) each law enforcement agency shall consult with a local sexual assault program or response team to develop the written notice required by (2), above, and shall update the notice at least each biennium; (4) the notice in (2), above, must be in English and Spanish and include the current contact information for a victim assistance coordinator and a crime victim liaison; and (5) the notice in (2), above, is considered to be sufficient if it includes certain statements outlined in this bill.

H.B. 2417 (Cain) – Criminal Warnings: would provide that: (1) a peace officer who takes a person into custody without a warrant shall immediately inform the person orally in simple, nontechnical terms that: (a) the person has the right to remain silent and not make any statement at all and that any statement the person makes may be used against the person at trial; (b) any statement the person makes may be used as evidence against the person in court; (c) the person has the right to have a lawyer present to provide advice prior to and during any questioning; (d) if the person is unable to employ a lawyer, the person has the right to have a lawyer appointed to provide advice prior to and during any questioning; and (e) the person has the right to terminate the interview at any time; (2) a staff member of the facility will inform the person of the person's rights at the time the person is admitted to a facility and before questioning, assessing, or examining the person; and (3) a person apprehended, detained, or transported for emergency detention

shall be informed of certain rights orally in simple, nontechnical terms, at the time the person is admitted to a facility and before the person is questioned, assessed, or examined, and in writing in the person's primary language if possible.

H.B. 2434 (Plesa) – Lost or Stolen Firearm Reporting: would provide that: (1) a peace officer who receives a report from an owner of a firearm that the firearm was lost or stolen shall report the loss or theft to the Department of Public Safety (DPS); (2) the report must include: (a) the name of the owner; (b) any available information about the firearm; and (c) the date that the owner became aware the firearm was lost or stolen; (3) DPS shall regularly send all reports received under (1), above, to the National Crime Information Center; and (4) failure to report to a peace officer or law enforcement agency a lost or stolen firearm by an owner within 24 hours after the time the person became aware the firearm was lost or stolen constitutes a criminal offense. (Companion bill is **S.B. 405** by **Eckhardt**.)

H.B. 2441 (Plesa) – Peace Officer Training: would provide that TCOLE shall require cities, among others, as part of continuing education requirements for peace officers, to provide training on identifying and interacting with trauma-impacted veterans and diverting those veterans to available community resources.

H.B. 2456 (VanDeaver) – Peace Officers: would provide, among other things, that a peace officer who receives compensation for private employment as a patrolman, guard, extra job coordinator, or watchman is exempt from certain private security regulations if the peace officer is compensated at least at the minimum wage rate by the state or a political subdivision of the state. (Companion bill **S.B. 357** by **Hall**.)

H.B. 2496 (Swanson) – Water Outage and Fire Protection: would, among other things: (1) require the regulatory authority for a public water system responsible for a hydrant to adopt a rule or ordinance that requires the public water system to provide to each fire department that provides fire suppression services in the area in which the hydrant is located notice of an unplanned water service interruption that results in the hydrant being temporarily unavailable for use in a fire emergency as soon as possible, but no later than: (a) one hour from the first notification that a hydrant is unavailable for use when the outage impacts multiple hydrants; or (b) three hours from the first notification that a hydrant is unavailable for use when the outage impacts a singular hydrant; and (2) require the regulatory authority for a public water system responsible for a hydrant to adopt a rule or ordinance that requires the public water system to provide to each fire department that provides fire suppression services in the area in which the hydrant is located notice of a planned water service interruption that results in the hydrant being temporarily unavailable for use in a fire emergency prior to a disruption of service.

H.B. 2506 (Jetton) – Emergency Detention and Transportation: would, among other things, provide that: (1) a peace officer who takes a person into custody for an emergency detention shall immediately transport the apprehended person to the nearest appropriate inpatient mental health facility that can provide 24-hour residential and psychiatric services located within 100 miles from where the person was apprehended, unless the

person needs stabilization of a physical emergency medical condition; (2) the Office of Court Administration shall develop and provide to each court in the state with jurisdiction to hear emergency mental health matters best practices and procedures for ensuring that a judge or magistrate is available 24 hours a day, seven days a week to respond to applications for emergency detention; (3) a local mental health authority that determines a person that has been detained should be transported to an appropriate mental health facility before the expiration of the period for emergency detention may submit a request for a peace officer to provide transportation; and (4) on receipt of notice of the request from the officer's supervisor, the peace officer immediately shall transport the detained person to the appropriate mental health facility along with a copy of the notification of emergency detention for the detained person to be provided to the receiving facility.

H.B. 2507 (Jetton) – Emergency Detention: would, among other things, provide that: (1) a peace officer may detain in custody for emergency detention purposes a person who has been admitted to an inpatient mental health facility, regardless of whether that person was admitted for voluntary mental health services; and (2) if a judge or magistrate transmits a warrant for the detention of a person who has been admitted to a facility at the time the application for emergency detention is presented, the facility may detain the person to perform a preliminary examination.

SJR 44 (Huffman) – Human Trafficking: would, among other things (1) propose a constitutional amendment authorizing the denial of bail under some circumstances to a person accused of a violent or sexual offense or of continuous trafficking of persons and requiring a judge or magistrate to impose the least restrictive conditions of bail that may be necessary to ensure the person's appearance in court as required and the safety of the community, law enforcement, and the victim of the alleged offense.

S.B. 432 (Middleton) – Catalytic Converter Theft: would, among other things (1) outline the prosecution of and punishment for theft of a catalytic converter; (2) increase the criminal penalty for theft of a catalytic converter.

S.B. 530 (West) – Caruth Police Institute Network: would, among other things (1) develop a peer support network for both rural and urban law enforcement officers at the University of Texas at Dallas; (2) offer support in peer-to-peer, suicide prevention training and technical assistance.

S.B. 465 (Bettencourt) – Catalytic Converter Theft: would, among other things (1) identify and create the criminal punishment involving the unauthorized possession of a catalytic converter (2) amend Penal Code Section 28.03(b) by including in the punishment for a State Jail felony the removal or attempted removal of a catalytic converter, if damage, destruction, or tampering with a motor vehicle results in less than \$30,000; (2) amends Penal Code Section 31.03(e) by including in the punishment for a State Jail felony the theft of a catalytic converter and the value of the property stolen is less than \$30,000; (3) creates an offense in Penal Code Section 31.21, *Unauthorized Possession of a Catalytic Converter*.

S.B. 1004 (Huffman) – Ankle Monitoring: would (1) make tampering with an ankle monitoring device a state jail felony; (2) if tampering occurred while on community supervision, parole, mandatory supervision or released on bail.

S.B. 738 (Gutierrez) – Radio Interoperability and Mass Shooting Training: would provide that: (1) in any county impacted by or adjacent to Operation Lone Star, the Department of Public Safety (DPS) shall ensure that all public safety entities have emergency radio infrastructure that allows inter operable communication between all other public safety entities; (2) DPS shall establish a process to train public safety entities, including local law enforcement entities, in response to a mass shooting event; and (3) the training in (2), above, must include the following: (a) protection of students in a mass shooting event at a school; (b) emergency medical response training in minimizing gun violence casualties; (c) tactics for denying an intruder entry into a classroom or school facility; and (d) the chain of command during a mass shooting event.

S.B. 267 (King) – Law Enforcement Accreditation Grant Program: would, (1) require all law enforcement agencies to become accredited through a third party; (2) require organizations and associations to periodically review and establish standards of practice for law enforcement agencies and that offer accreditation to agencies that meet those standards.

S.B. 752 (Flores) – Direct Shipment of Alcohol: would, among other things: (1) permit a holder of a distiller's and rectifier's permit to deliver distilled spirits directly to the ultimate consumer, including a consumer located in a dry area; (2) permit a holder of an out-of-state distillery direct shipper's permit to deliver to Texas; (3) permit the holder of a brewer's license to ship malt beverages directly to the ultimate consumer, including a consumer located in a dry area; (4) permit the holder of an out-of-state brewery direct shipper's license to ship to Texas; and (5) permit the holder of a brewpub license to ship malt beverages to the ultimate consumer, including a consumer in a dry area. Distilled spirits and malt beverages shipped under this provision would be required to be shipped only to a person over 21 years of age. (Companion bill is **H.B. 2003** by **Slawson**)

S.B. 780 (Hughes) – Abandoned Children: would add fire departments and law enforcement agencies to the list of emergency infant care providers who must take possession of certain abandoned children. (Companion bill is **H.B. 2010** by **Hefner**.)

S.B. 793 (Hinojosa) – Asset Forfeiture: would provide, among other things, that: (1) property that is contraband is not subject to seizure and forfeiture if: (a) the property is not otherwise unlawful to possess; and (b) the admissibility of the property as evidence would be prohibited in the prosecution of the underlying offense because it was obtained in violation of state or federal law or the Texas Constitution or United States Constitution; and (2) in all forfeiture cases the state has the burden of proving by clear and convincing evidence that property is subject to seizure.

S.B. 806 (Paxton) – Notice to Victims of Family Violence: would, among other things, provide that: (1) a peace officer who investigates an incident involving sexual assault or who responds to a disturbance call that may involve sexual assault shall provide the victim a written notice containing information about crime victims' rights; (2) at the initial contact or at the earliest possible time, the peace officer shall: (a) provide to the victim a written referral to the nearest sexual assault program and information about the statewide electronic tracking system for evidence collected in relation to a sexual assault or other sex offense; (b) offer to request a forensic medical examination on behalf of the victim; (c) coordinate with the local response team to provide continuing care to the victim or to further investigate the offense; and (d) provide to the victim written notice containing certain information required under this bill; (3) each law enforcement agency shall consult with a local sexual assault program or response team to develop the written notice required by (2), above, and shall update the notice at least each biennium; and (4) the notice in (2), above, must be in English and Spanish and include the current contact information for a victim assistance coordinator and a crime victim liaison.

S.B. 866 (Hughes) – Emergency Response Mapping Data: would, among other things, require school districts and open-enrollment charter schools to provide local law enforcement agencies and emergency first responders with emergency response mapping data including: (1) accurate floor plans overlaid on current aerial imagery of a school building; (2) site-specific labeling that matches the structure of the school building; (3) site-specific labeling that matches the school grounds; and (4) a standardized ridded overlay with X and Y coordinates for all school campuses and buildings. (Companion bill is **H.B. 2032** by **Allison**).

S.B. 931 (Middleton) – Remote Vehicle Disabling Technology: would: (1) create a state jail felony offense if a person: (a) manufactures, distributes, or possesses with intent to distribute remote vehicle disabling technology (RVDT) that is capable of being activated or engaged by a motor vehicle manufacturer or governmental entity and installed on a light truck or passenger car; (b) installs on a light truck or passenger car RVDT that is capable of being activated or engaged by the vehicle manufacturer or a governmental entity; or (c) sells a light truck or passenger car on which RDVT is installed that is capable of being activated or engaged by the vehicle manufacturer or a governmental entity; and (2) subject a vehicle dealer's or manufacturer's license to revocation.

S.B. 984 (Paxton) – Crafted Precious Metal Transactions: would provide that: (1) a crafted precious metal dealer shall report each transaction to an online database that is used by law enforcement agencies to investigate offenses related to crafted precious metal and other property; (2) the Department of Public Safety by rule shall designate the database to which a dealer is required to report under (1), above; and (3) a dealer who fails to permit a peace officer to inspect crafted precious metal purchased by the dealer during regular business hours while in the dealer's possession commits a Class B misdemeanor offense. (Companion bill is **H.B. 2382** by **S. Thompson**.)

DATE March 3, 2023
SUBJECT **Legislation relating to Public Safety**

S.B. 997 (West) – Human Remains Photographs: would provide that: (1) a person commits a state jail felony offense if the person publishes a photograph of human remains that the person obtained while acting within the course and scope of the person's duties as a first responder, coroner, medical examiner, employee of a coroner's office, or employee of an office of a medical examiner; (2) it is a defense to prosecution under (1), above, if that person published the photographs for an official law enforcement or medical purpose; (3) a defendant is liable to a person's surviving spouse, child, or parent for damages or other relief arising from a violation in (1), above, in relation to the person; (4) a claimant who prevails in an action under (3), above, is entitled to recover reasonable attorney's fees and costs incurred in bringing the action; (5) a governmental unit is jointly and severally liable for damages (not to exceed \$100,000) arising from a violation in (1), above, by a person employed by the governmental unit; (6) a governmental unit's sovereign or governmental immunity to suit and from liability is waived to the extent of liability created under this bill; and (7) a first responder, coroner, medical examiner, employee of a coroner's office, or employee of an office of a medical examiner may not assert official immunity as a defense to liability under this bill.

S.B. 1020 (King) – Expunction: would, among other things, provide that a peace officer, firefighter, detention officer, county jailer, or emergency medical services employee is eligible for an expunction of arrest records and files if: (1) such person has completed a public safety employees treatment court program; (2) the person has not previously received an expunction of arrest records and files for completion of a public safety employees treatment court program; and (3) the person submits an affidavit to the court attesting to the fact described in (2), above. (Companion bill is **H.B. 1405 by Geren**).

If have any questions or comments, please email Clifford Sparks, State Legislative Director, at Clifford.Sparks@dallas.gov.

Sincerely,



Carrie Rogers
Director
Office of Government Affairs

c: Members of the Ad Hoc Legislative Committee
T.C. Broadnax, City Manager
Tammy Palomino, Interim City City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Deputy City Manager
Jon Fortune, Deputy City Manager

Majed A. Al-Ghafry, Assistant City Manager
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Dr. Robert Perez, Assistant City Manager
Carl Simpson, Assistant City Manager
Jack Ireland, Chief Financial Officer
Genesis D. Gavino, Chief of Staff to the City Manager
Directors and Assistant Directors