



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1538

PRINTERS NO. 4125

PRIME SPONSOR: White

### COST / (SAVINGS)

FUND	FY 2016/17	FY 2017/18
General Fund	\$0	\$0

### SUMMARY:

House Bill 1538 amends the Law and Justice Code concerning the release of law enforcement officer information. It would take effect in 60 days.

### ANALYSIS:

This legislation provides that, pending the conclusion of an official investigation that involves the discharge of a firearm or use of force by a law enforcement officer during the performance of the officer's duties, the name and identifying information of the officer may not be released to the public by any public official or employee conducting or participating in the official investigation or any person acting on behalf of such an official or employee.

After the official investigation concludes, the officer's name and identifying information must be released to the public if the law enforcement officer is charged with a criminal offense relating to the discharge of the firearm or use of force.

Except during any period in which the release of the information could reasonably be expected to create a risk of harm to the officer or his or her immediate family, the identifying information may be released by the law enforcement agency thirty days after the use of force or after the completion of the official investigation. The name or identifying information of the law enforcement officer may also be released if the law enforcement officer consents in writing to the release of the information, or if disclosed pursuant to court rules.

A violation of this legislation is a misdemeanor of the second degree, and this legislation will not apply to the Attorney General or a district attorney's office.

### FISCAL IMPACT:

Enactment of this legislation will have no adverse impact on Commonwealth funds.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** October 26, 2016

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*