

BILL ANALYSIS

C.S.H.B. 54
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Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In March 2019, Javier Ambler was chased for over 20 minutes by Williamson County sheriff's deputies for not dimming his headlights to oncoming traffic. In the ensuing confrontation with the deputies, Ambler was tased multiple times and ultimately died of certain heart failure and disease in combination with forcible restraint. The deputies who chased and tased Ambler were being filmed throughout the incident by a film crew from *Live PD*, a ride-along style reality television show. An independent analysis of use-of-force reports by the *Austin American-Statesman* found that violent encounters between Williamson County sheriff's deputies and civilians nearly doubled in the year after *Live PD* cameras began following deputies. The presence of production crews during police operations blurs the lines of reality and entertainment, intensifies the degree of police response, and puts civilian lives in danger. C.S.H.B. 54 seeks to address this issue by prohibiting law enforcement agencies from authorizing a person to film peace officers acting in the line of duty for the purpose of creating a reality television program, while maintaining transparency by excluding journalists reporting on matters of public concern from the prohibition.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change 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

C.S.H.B. 54 amends the Government Code to prohibit a state or local law enforcement agency from authorizing a person to accompany and film a peace officer acting in the line of duty for the purpose of producing a reality television program. For this purpose, a reality television program does not include reporting on a matter of public concern by a journalist as defined by the Code of Criminal Procedure.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 54 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision establishing that a reality television program does not include reporting on a matter of public concern by a journalist as defined by the Code of Criminal Procedure.

The substitute changes the party whom a law enforcement agency may not authorize to film peace officers from a television crew to any person and changes the prohibited actions of that party from filming the officers while acting in the line of duty to accompanying and filming a peace officer acting in the line of duty.