

## **BILL ANALYSIS**

Senate Research Center  
78R877 KEL-D

S.B. 52  
By: Zaffirini  
Criminal Justice  
4/23/2003  
As Filed

### **DIGEST AND PURPOSE**

Currently, law enforcement agencies are not required to report certain information regarding sexual assaults to the Texas Department of Public Safety (DPS). As proposed, S.B. 52 requires law enforcement agencies to report to DPS the number of sexual assaults reported, information about the victim, whether a rape exam was performed, whether the case was prosecuted, and certain other information.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 2 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 411, Government Code, by adding Section 411.049 as follows:

Sec. 411.049. SEXUAL ASSAULT REPORTING. (a) Requires the Department of Public Safety (DPS) to establish and maintain a central repository for the collection and analysis of information relating to the commission of an offense under Section 22.011 or 22.021, Penal Code (sexual assault) , including specific information. Requires DPS to develop a procedure to monitor, record, classify, and analyze information under this subsection, after establishing the repository.

(b) Requires local law enforcement agencies to report the commission of offenses under Sections 22.011 and 22.021, Penal Code (sexual assault), and other related information required by Subsection (a) in the form and manner and at regular intervals as prescribed by rules adopted by DPS. Requires DPS to summarize and analyze information received under this subsection and any other corresponding information possessed by DPS.

(c) Requires DPS to make information, records, and statistics collected under this section available to any local law enforcement agency, political division, or state agency to the extent the information is reasonably necessary or useful to the agency or subdivision in carrying out the duties imposed by law on the agency or subdivision. Prohibits this subsection from being construed to limit access to information, records, and statistics if access is permitted by other law. Provides that the dissemination of the names of perpetrators and victims is subject to all confidentiality requirements otherwise imposed by law.

SECTION 2. Requires DPS to establish the rules and procedures necessary to comply with Section 411.049, Government Code, as added by this Act, not later than October 1, 2003.

SECTION 3. Effective date: September 1, 2003.