

BILL ANALYSIS

Senate Research Center
79R9856 BDH-D

H.B. 967
By: Haggerty (Whitmire)
Criminal Justice
5/17/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Criminal history records are an important public safety tool. Accurate and complete records are crucial to criminal justice. In addition, such records are used to screen people prior to various types of employment and before the purchase of firearms. The 71st Legislature, Regular Session, 1989, required the creation of the Texas Criminal Justice Information System (CJIS).

H.B. 967 modifies information required to be supplied to CJIS for improved efficiency.

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 Sections 1 and 4, Article 42.01, Code of Criminal Procedure, as follows:

Sec. 1. Requires, rather than suggests, the judgment addressed in this section to reflect certain amended information, including the defendant's state identification number required by Section 60.052(a)(2) (relating to the issuance of state identification numbers), if that number has been assigned at the time of judgment and the incident number required by Section 60.052(a)(4) (relating to the issuance of incident numbers), if that number has been assigned at the time of the judgment.

Sec. 4. Requires a court entering a felony judgment to use the form promulgated under this section.

SECTION 2. Amends Article 60.18, Code of Criminal Procedure, as follows:

Art. 60.18. INFORMATION ON SUBSEQUENT ARREST OF CERTAIN INDIVIDUALS. Requires the Texas Department of Criminal Justice (TDCJ) and the Department of Public Safety (DPS) to develop the capability to send by electronic means information about the subsequent arrest of a person under supervision to, as applicable, the community supervision and corrections department serving the court of original jurisdiction or the district parole office supervising the person. Deletes existing text requiring the information to be sent to certain entities. Makes a nonsubstantive and conforming change.

SECTION 3. Amends Article 60.21, Code of Criminal Procedure, as follows:

(b) Deletes existing Subsection (b) requiring DPS to take certain actions relating to local criminal justice agencies. Redesignates text of existing Subsection (c) as Subsection (b). Requires DPS to take certain amended actions relating to the submission of arrest and disposition information.

SECTION 4. Amends Section 521.142(a), Transportation Code, to require DPS to accept as satisfactory proof of identity under this subsection an offender identification card or similar form of identification issued to an inmate by TDCJ.

SECTION 5. Amends Section 522.021, Transportation Code, by adding Subsection (c-1), to require DPS, if DPS requires proof of an applicant's identity as part of an application under this section, to accept as satisfactory proof of identity an offender identification card or similar form of identification issued to an inmate by TDCJ.

SECTION 6. Repealer: Articles 60.10 (Expediting implementation), 60.11 (Operation date), 60.13 (Contracts for software development), 60.15 (Timetable for system records), 60.16 (Report), and 60.17 (Coordination of implementation process), Code of Criminal Procedure.

SECTION 7. Makes application of Article 42.01, Code of Criminal Procedure, as amended by this Act, prospective.

SECTION 8. Effective date: September 1, 2005.