

BILL ANALYSIS

H.B. 433
By: Madden
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Legislature has previously enacted Chapter 57 of the Texas Code of Criminal Procedure that protects the identity of the victim of a sexual offense. An unintended result of this enactment is that the Office of the Inspector General is not permitted to identify the victims of sexual offenses that occur in Texas Department of Criminal Justice (TDCJ) facilities to TDCJ so that TDCJ can take appropriate actions with regard to these offenses. H.B. 433 permits such a disclosure and exempts it from the provisions of Chapter 57.

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

H.B. 433 amends Article 57.02, Code of Criminal Procedure, to allow the inspector general of the Texas Department of Criminal Justice (TDCJ) to disclose the identifying information of a victim of a sex offense which is reportable under Chapter 62, Code of Criminal Procedure, to a TDCJ employee. This applies to inmate victims and state jail defendant victims confined in a facility operated by or under contract with TDCJ. H.B. 433 also exempts the inspector general of TDCJ from Article 57.03, Code of Criminal Procedure, for disclosures made under Article 57.02, Code of Criminal Procedure.

EFFECTIVE DATE

September 1, 2007.