

BILL ANALYSIS

C.S.S.B.1915
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Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Department of Public Safety is responsible for the Juvenile Justice Information System, which is a computer system for managing juvenile criminal cases. This system serves as a record creation point for the juvenile justice information system maintained by the state and as the control terminal for entry of records which ultimately go into the Federal Bureau of Investigation record system. This system may be better utilized if the types of documents allowed in the system are expanded, if the authority of the district clerk in managing these documents is clarified, and if the use of electronic signatures is authorized by statute.

C.S.S.B.1915 authorizes electronic filing of court pleadings and court-document management by the court clerk to the juvenile justice information system. This bill authorizes all court documents to be contained on the system and provides that certain security standards are in place when electronic signatures are used with these documents.

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

SECTION 1. Amends Section 58.302 of the Family Code, to provide that a purpose of a local juvenile justice information system (information system) is to provide efficient computerized case management resources to prosecutors and court clerks, among other certain entities.

SECTION 2. Amends Section 58.303(b) of the Family Code, to authorize an information system to contain case management resources for juvenile courts, court clerks, prosecuting attorneys, and county juvenile probation departments; electronic filing of complaints or petitions, court orders, and other documents filed with the court, and to authorize the use of electronic signatures.

SECTION 3. Amends Section 58.304(b) of the Family Code, to include electronic copies of all documents filed with the court as information that the information system is authorized to include for each juvenile taken into custody, detained, or referred under Title 3 (Juvenile Justice Code), Family Code, to the extent possible and subject to Subsections (a) and (d) (respectively regarding information required to be contained in the information system and certain information prohibited from being collected).

SECTION 4. Amends Section 58.305(a) of the Family Code, to require a local juvenile justice information system to include a court clerk as a partner agency within that county.

SECTION 5. Amends Section 58.306(g), Family Code, to provide that court clerks have Level 3 access to documents officially filed with the juvenile court.

SECTION 6. Amends Sections 58.307(a) and (e), Family Code, as follows:

(a) Makes a conforming change.

(e) Includes electronic signature systems as information in an information system required to be protected from unauthorized access by a system of access security.

SECTION 7. Provides that this Act applies to information and documents relating to juvenile cases without regard to the date that the conduct that is the basis of the case occurred.

SECTION 8. This Act takes effect September 1, 2007.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.S.B.1915 modifies the original S.B.1915 by amending SECTION 6 to read "Sections 58.307(a) and (e), Family Code," as opposed to SECTION 6, reading "Subsections (a) and (e), Section 58.307, Family Code."