

By: Shapiro

S.B. No. 1061

A BILL TO BE ENTITLED

AN ACT

relating to improving the accuracy of reporting concerning certain criminal history.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 60, Code of Criminal Procedure, is amended by adding Article 60.10 to read as follows:

Art. 60.10. DATA REPORTING IMPROVEMENT PLAN. (a) In this article, "disposition completeness percentage" has the meaning assigned by Article 60.21(c).

(b) This article applies only to a county that has an average disposition completeness percentage, including both juvenile and adult dispositions, of less than 90 percent, as reflected in the first report the Department of Public Safety submits under Article 60.21(b)(2) on or after January 1, 2009.

(c) The commissioners court of a county described by Subsection (b) shall establish a local data advisory board as described by Article 60.09 not later than November 1, 2009. A local data advisory board established under this article may include any person described by Article 60.09(b) and must include:

(1) the sheriff of the county, or the sheriff's designee;

(2) an attorney who represents the state in the district courts of the county;

(3) an attorney who represents the state in the county

1 courts of the county;

2 (4) the clerk for the district courts of the county, or
3 the clerk's designee;

4 (5) the clerk for the county courts of the county, or
5 the clerk's designee;

6 (6) the police chief of the municipality with the
7 greatest population located in the county, or the chief's designee;

8 (7) a representative of the county's automated data
9 processing services, if the county performs those services; and

10 (8) a representative of an entity with whom the county
11 contracts for automated data processing services, if the county
12 contracts for those services.

13 (d) In addition to the duties described by Article 60.09(a),
14 a local data advisory board established under this article must
15 prepare a data reporting improvement plan. The data reporting
16 improvement plan must:

17 (1) describe the manner in which the county intends to
18 improve the county's disposition completeness percentage;

19 (2) ensure that the county takes the steps necessary
20 for the county's average disposition completeness percentage to be
21 equal to or greater than 90 percent in the first report the
22 Department of Public Safety submits under Article 60.21(b)(2) on or
23 after January 1, 2013; and

24 (3) include a comprehensive strategy by which the
25 county will permanently maintain the county's disposition
26 completeness percentage at or above 90 percent.

27 (e) Not later than June 1, 2010, a local data advisory board

1 established under this article shall submit to the Department of
2 Public Safety the data reporting improvement plan prepared for the
3 county. On receipt of a data reporting improvement plan under this
4 article, the department shall post the plan on the Internet website
5 maintained by the department.

6 (f) The public safety director of the Department of Public
7 Safety may adopt rules concerning the contents and form of a data
8 reporting improvement plan prepared under this article.

9 (g) This article expires September 1, 2013.

10 SECTION 2. Article 60.21, Code of Criminal Procedure, is
11 amended by amending Subsection (b) and adding Subsection (c) to
12 read as follows:

13 (b) The Department of Public Safety shall:

14 (1) monitor the submission of arrest and disposition
15 information by local jurisdictions;

16 (2) annually submit to the Legislative Budget Board,
17 the governor, the lieutenant governor, the state auditor, and the
18 standing committees in the senate and house of representatives that
19 have primary jurisdiction over criminal justice and the Department
20 of Public Safety [~~council~~] a report regarding the level of
21 reporting by local jurisdictions;

22 (3) identify local jurisdictions that do not report
23 arrest or disposition information or that partially report
24 information; and

25 (4) for use in determining the status of outstanding
26 dispositions, publish monthly on the Department of Public Safety's
27 Internet website or on another electronic publication a report

1 listing each arrest by local jurisdiction for which there is no
2 corresponding final court disposition.

3 (c) The report described by Subsection (b)(2) must contain a
4 disposition completeness percentage for each county in this state.
5 For purposes of this subsection, "disposition completeness
6 percentage" means the percentage of arrest charges a county reports
7 to the Department of Public Safety to be entered in the computerized
8 criminal history system under this chapter that were brought
9 against a person in the county for which a disposition has been
10 subsequently reported and entered into the computerized criminal
11 history system.

12 SECTION 3. This Act takes effect September 1, 2009.