

1-1 By: Shapiro S.B. No. 1061
1-2 (In the Senate - Filed February 23, 2009; March 13, 2009,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 20, 2009, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to improving the accuracy of reporting concerning certain
1-9 criminal history.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 60, Code of Criminal Procedure, is
1-12 amended by adding Article 60.10 to read as follows:

1-13 Art. 60.10. DATA REPORTING IMPROVEMENT PLAN. (a) In this
1-14 article, "disposition completeness percentage" has the meaning
1-15 assigned by Article 60.21(c).

1-16 (b) This article applies only to a county that has an
1-17 average disposition completeness percentage, including both
1-18 juvenile and adult dispositions, of less than 90 percent, as
1-19 reflected in the first report the Department of Public Safety
1-20 submits under Article 60.21(b)(2) on or after January 1, 2009.

1-21 (c) The commissioners court of a county described by
1-22 Subsection (b) shall establish a local data advisory board as
1-23 described by Article 60.09 not later than November 1, 2009. A local
1-24 data advisory board established under this article may include any
1-25 person described by Article 60.09(b) and must include:

1-26 (1) the sheriff of the county, or the sheriff's
1-27 designee;

1-28 (2) an attorney who represents the state in the
1-29 district courts of the county;

1-30 (3) an attorney who represents the state in the county
1-31 courts of the county;

1-32 (4) the clerk for the district courts of the county, or
1-33 the clerk's designee;

1-34 (5) the clerk for the county courts of the county, or
1-35 the clerk's designee;

1-36 (6) the police chief of the municipality with the
1-37 greatest population located in the county, or the chief's designee;

1-38 (7) a representative of the county's automated data
1-39 processing services, if the county performs those services; and

1-40 (8) a representative of an entity with whom the county
1-41 contracts for automated data processing services, if the county
1-42 contracts for those services.

1-43 (d) In addition to the duties described by Article 60.09(a),
1-44 a local data advisory board established under this article must
1-45 prepare a data reporting improvement plan. The data reporting
1-46 improvement plan must:

1-47 (1) describe the manner in which the county intends to
1-48 improve the county's disposition completeness percentage;

1-49 (2) ensure that the county takes the steps necessary
1-50 for the county's average disposition completeness percentage to be
1-51 equal to or greater than 90 percent in the first report the
1-52 Department of Public Safety submits under Article 60.21(b)(2) on or
1-53 after January 1, 2013; and

1-54 (3) include a comprehensive strategy by which the
1-55 county will permanently maintain the county's disposition
1-56 completeness percentage at or above 90 percent.

1-57 (e) Not later than June 1, 2010, a local data advisory board
1-58 established under this article shall submit to the Department of
1-59 Public Safety the data reporting improvement plan prepared for the
1-60 county. On receipt of a data reporting improvement plan under this
1-61 article, the department shall post the plan on the Internet website
1-62 maintained by the department.

1-63 (f) The public safety director of the Department of Public
1-64 Safety may adopt rules concerning the contents and form of a data

2-1 reporting improvement plan prepared under this article.

2-2 (g) This article expires September 1, 2013.

2-3 SECTION 2. Article 60.21, Code of Criminal Procedure, is
2-4 amended by amending Subsection (b) and adding Subsection (c) to
2-5 read as follows:

2-6 (b) The Department of Public Safety shall:

2-7 (1) monitor the submission of arrest and disposition
2-8 information by local jurisdictions;

2-9 (2) annually submit to the Legislative Budget Board,
2-10 the governor, the state auditor, and the standing committees in the
2-11 senate and house of representatives that have primary jurisdiction
2-12 over criminal justice and the Department of Public Safety [~~council~~]
2-13 a report regarding the level of reporting by local jurisdictions;

2-14 (3) identify local jurisdictions that do not report
2-15 arrest or disposition information or that partially report
2-16 information; and

2-17 (4) for use in determining the status of outstanding
2-18 dispositions, publish monthly on the Department of Public Safety's
2-19 Internet website or on another electronic publication a report
2-20 listing each arrest by local jurisdiction for which there is no
2-21 corresponding final court disposition.

2-22 (c) The report described by Subsection (b)(2) must contain a
2-23 disposition completeness percentage for each county in this state.
2-24 For purposes of this subsection, "disposition completeness
2-25 percentage" means the percentage of arrest charges a county reports
2-26 to the Department of Public Safety to be entered in the computerized
2-27 criminal history system under this chapter that were brought
2-28 against a person in the county for which a disposition has been
2-29 subsequently reported and entered into the computerized criminal
2-30 history system.

2-31 SECTION 3. This Act takes effect September 1, 2009.

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