

BILL ANALYSIS

C.S.H.B. 2744
By: Capriglione
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that law enforcement agencies are currently allowed to use automatic license plate readers and store the information collected about Texas drivers through the reader. The parties report that the absence of laws limiting the amount of time that such information may be stored has raised concerns. C.S.H.B. 2744 seeks to address these concerns.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 2744 amends the Government Code to authorize a law enforcement agency or a municipal parking enforcement authority that employs or uses the services of civilians to use an automatic license plate reader to read and record license plate numbers taken from digital photographs. The bill requires all images and data produced from an automatic license plate reader to be destroyed not later than one year after the date of collection unless the image or data is evidence in a civil action or a criminal investigation or prosecution.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2744 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0094 to read as follows:
Sec. 411.0094. AUTOMATIC LICENSE PLATE READER. (a) In this section,

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0094 to read as follows:
Sec. 411.0094. AUTOMATIC LICENSE PLATE READER. (a) In this section,

84R 25697

15.113.1279

Substitute Document Number: 84R 21710

"automatic license plate reader" means a system that reads and records license plate numbers taken from digital photographs.

(b) A law enforcement agency may use an automatic license plate reader.

(c) All images and data produced from an automatic license plate reader under this section shall be destroyed not later than the 90th day after the date of collection unless the image or data is evidence in a criminal investigation or prosecution.

SECTION 2. This Act takes effect September 1, 2015.

"automatic license plate reader" means a system that reads and records license plate numbers taken from digital photographs.

(b) A law enforcement agency, or a municipal parking enforcement authority that employs or uses the services of civilians, may use an automatic license plate reader.

(c) All images and data produced from an automatic license plate reader under this section shall be destroyed not later than one year after the date of collection unless the image or data is evidence in a civil action or a criminal investigation or prosecution.

SECTION 2. Same as introduced version.