

BILL ANALYSIS

H.B. 3513
By: Faircloth
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that collecting the DNA sample of a defendant at the time of arrest for an offense punishable as a felony will make Texas DNA records more comprehensive and that the expanded evidentiary DNA pool will increase the likelihood of solving crimes. H.B. 3513 seeks to enact the Krystal Jean Baker Act, which expands the offenses for which a DNA record must be created.

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

H.B. 3513 amends the Government Code to expand the applicability of statutory provisions requiring a defendant arrested for certain felony offenses to provide one or more specimens for the purpose of creating a DNA record to include a defendant arrested for any offense punishable as a felony. The bill removes the requirement to provide a DNA record for a defendant who is indicted for or waives indictment for certain felony offenses or who is convicted of certain felony offenses. The bill requires the public safety director of the Department of Public Safety to apply for any available federal grant funds applicable to the creation and storage of DNA records of persons arrested for certain offenses.

H.B. 3513 amends the Code of Criminal Procedure to make conforming changes.

H.B. 3513 repeals Section 411.1471(c), Government Code.

EFFECTIVE DATE

September 1, 2017.