

By: Alvarado

H.B. No. 1383

A BILL TO BE ENTITLED

1 AN ACT

2 relating to establishing a statewide electronic tracking system for  
3 evidence of a sex offense.

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

5 SECTION 1. The heading to Subchapter B, Chapter 420,  
6 Government Code, is amended to read as follows:

7 SUBCHAPTER B. COLLECTION, ~~[AND]~~ PRESERVATION, AND TRACKING OF  
8 EVIDENCE OF SEX OFFENSE

9 SECTION 2. Subchapter B, Chapter 420, Government Code, is  
10 amended by adding Section 420.034 to read as follows:

11 Sec. 420.034. STATEWIDE ELECTRONIC TRACKING SYSTEM. (a)  
12 The department, in consultation with a forensic science center  
13 located in a county that has a population of 3.3 million or more,  
14 shall develop and implement a statewide electronic tracking system  
15 for evidence collected in relation to a sexual assault or other sex  
16 offense.

17 (b) The tracking system must:

18 (1) track the location and status of each item of  
19 evidence through the criminal justice process, including the  
20 initial collection of items of evidence in a forensic medical  
21 examination performed at a health care facility, receipt and  
22 storage of the item of evidence at a law enforcement agency, receipt  
23 and analysis of the item of evidence at an accredited crime  
24 laboratory, and storage and destruction of the item of evidence

1 after the item is analyzed;

2 (2) allow a health care facility performing a forensic  
3 medical examination of a survivor, law enforcement agency,  
4 accredited crime laboratory, prosecutor, or other entity providing  
5 a chain of custody for an item of evidence to update and track the  
6 status and location of the item; and

7 (3) allow a survivor to anonymously track or receive  
8 updates regarding the status and location of each item of evidence  
9 collected in relation to the offense.

10 (c) The department shall require participation in the  
11 tracking system by any entity that collects evidence of a sexual  
12 assault or other sex offense or investigates or prosecutes a sexual  
13 assault or other sex offense for which evidence has been collected.

14 (d) Records entered into the tracking system are  
15 confidential and are not subject to disclosure under Chapter 552.  
16 Records relating to evidence tracked under the system may be  
17 accessed only by:

18 (1) the survivor from whom the evidence was collected;

19 or

20 (2) an employee of an entity described by Subsection  
21 (c), for purposes of updating or tracking the status or location of  
22 an item of evidence.

23 SECTION 3. Not later than September 1, 2019, the Department  
24 of Public Safety of the State of Texas shall require all entities  
25 described by Section 420.034(c), Government Code, as added by this  
26 Act, to participate in the statewide electronic tracking system  
27 established under that section.

1 SECTION 4. This Act takes effect September 1, 2017.