

Amend CSHB 1 as follows:

(1) On page X-6 of the State Auditor's Office bill pattern, amend the following rider:

5. Audit Plan of Disposition of Sexual Assault Investigations. (a) The state auditor shall develop an audit plan, subject to approval by the Legislative Audit Committee, examining the investigation and processing of reported adult sexual assaults in Texas. The audit plan shall address the processes from the time of first report through final disposition, including why reported cases do not proceed to prosecution and conviction within the criminal justice system. The audit plan shall examine a five-year period for which relevant data are available, and shall include the cities of Austin, Dallas, Houston, San Antonio, and El Paso. The audit plan shall provide a broad, comprehensive review of the policies, practices, and actions of government agencies, including district attorneys' offices, with respect to state and federal law, nationally recognized best practices, and comparative procedures with respect to adult sexual assault investigation and prosecution. The audit plan shall also include an evaluation of the practices and policies for making a determination to prosecute, and a comparative analysis of budget and resources available to affected agencies and departments.

(b) In developing the audit plan, the office shall make every reasonable effort to compile and analyze information relating to the commission of offenses under Sections 22.011 and 22.021, Penal Code, including information regarding the number of cases:

(1) in which the law enforcement agency investigating the offense forwarded the case to the appropriate local county or district attorney, including cases that are prosecuted as a different criminal offense;

(2) closed or classified as inactive by the law enforcement agency without forwarding the case to the appropriate local county or district attorney, and the reasons for that closure or classification;

(3) in which the local county or district attorney did not prosecute the offense, and the reasons for not prosecuting the offense, including whether the offense was referred to a grand

jury; and

(4) dismissed after an indictment had been filed.

(c) In addition to publishing the reports made as required by this rider on the state auditor's Internet website with all other reports prepared by the state auditor and filing a copy of the report made as required by this rider with the parties listed under Government Code, Section 321.014(c), ((1) the governor; (2) the lieutenant governor; (3) the speaker of the house of representatives; (4) the secretary of state; (5) the Legislative Reference Library; (6) each member of the governing body and the administrative head of each entity that is the subject of the report; and (7) members of the legislature on a committee with oversight responsibility for the entity or program that is the subject of the report) the state auditor shall file a copy of a report with the Office of the Attorney General, the Senate Finance Committee, the House Appropriations Committee, the Department of Public Safety, and any other agencies, offices, or task forces working on DNA-related issues or that the state auditor considers to be a relevant recipient of the report.

(d) Out of funds appropriated above, and as part of the audit plan, the State Auditor's Office shall contract with a qualified current, or former, Combined DNA Index System (CODIS) administrator to conduct a review of CODIS in Texas. The review shall assess case processing capacity at CODIS facilities, including staffing models and funding in relation to case demand and national best practices. The review shall also assess how Local DNA Index System (LDIS) laboratories provide CODIS notifications to agencies, if safeguards exist to ensure receipt of CODIS notifications, the policies LDIS laboratories have regarding notifications to agencies and ensuring receipt of the notifications, how agencies are trained on what CODIS notifications mean, if agencies utilize the notifications and follow up on investigations, and how labs track turnaround times for their notifications.

(e) The State Auditor's Office may coordinate with the cities listed in Subsection (a) to utilize information and/or data the city may possess from a previously completed or currently

contracted comparable audit.

(f) The State Auditor's Office shall hold meetings at least once per year for all CODIS administrators in the state to improve communication, verify consistency in processes, and ensure CODIS is utilized most effectively.

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