|  |
| --- |
| BILL ANALYSIS |

|  |
| --- |
| H.B. 3424 |
| By: Thompson, Senfronia |
| Criminal Jurisprudence |
| Committee Report (Unamended) |

|  |
| --- |
| **BACKGROUND AND PURPOSE** It has been suggested that DNA evidence that does not belong to a defendant in a criminal case but can be matched with a DNA profile in a law enforcement agency's database should be considered exculpatory evidence and meets the requirements for a defendant to obtain post‑conviction forensic DNA testing. H.B. 3424 seeks to make DNA evidence more available for consideration by the criminal justice system.  |
| **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. 3424 amends the Code of Criminal Procedure to establish that, for purposes of forensic DNA testing ordered by a convicting court, exculpatory results include DNA test results that indicate a match between an unidentified DNA profile on the evidence tested and another individual's DNA profile contained in a DNA database or otherwise in the possession of a law enforcement agency.  |
| **EFFECTIVE DATE** September 1, 2019. |