

By: Zwiener

H.B. No. 2672

A BILL TO BE ENTITLED

AN ACT

relating to a study conducted by the Department of Public Safety on the investigation and prosecution of sexual assault offenses.

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

SECTION 1. Subchapter A, Chapter 420, Government Code, is amended by adding Section 420.016 to read as follows:

Sec. 420.016. STUDY AND REPORT REGARDING INVESTIGATION AND PROSECUTION OF SEXUAL ASSAULT OFFENSES. (a) The department shall conduct a study regarding the investigation and prosecution of sexual assault offenses to determine the rate of case attrition for those offenses and the reasons for the case attrition.

(b) In conducting the study, the department shall 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

1 not prosecute the offense, and the reasons for not prosecuting the
2 offense, including whether the offense was referred to a grand
3 jury; and

4 (4) dismissed after an indictment had been filed.

5 (c) The department shall identify the governmental entities
6 that possess information required by Subsection (b) and require
7 each of those entities to report the information to the department
8 in the manner prescribed by the department.

9 (d) Not later than December 1, 2020, the department shall
10 submit to the governor, the lieutenant governor, and each member of
11 the legislature a report on the results of the department's study
12 under this section and recommendations for legislative or other
13 action.

14 (e) This section expires September 1, 2021.

15 SECTION 2. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2019.