

By: Goldman, Krause, Tinderholt, et al.

H.B. No. 3106

Substitute the following for H.B. No. 3106:

By: Nevárez

C.S.H.B. No. 3106

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that law enforcement agencies enter into the Texas Data Exchange information related to investigations of sexual assault or other sex offenses.

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

SECTION 1. This Act shall be known as Molly Jane's Law.

SECTION 2. Subchapter B, Chapter 420, Government Code, is amended by adding Section 420.035 to read as follows:

Sec. 420.035. DUTY TO ENTER INVESTIGATION INFORMATION INTO INTELLIGENCE DATABASE. (a) In this section, "database" means the Texas Data Exchange or a successor comprehensive intelligence database.

(b) A law enforcement agency that identifies a person as a suspect in the investigation of a sexual assault or other sex offense, regardless of how the person is identified, shall enter into the database information regarding the agency's investigation of that person. The information entered must include information:

(1) specifying:

(A) the suspect's name and date of birth;

(B) the sex offense being investigated; and

(C) the law enforcement agency investigating the offense; and

(2) describing the manner in which the offense was committed, including the manner in which the suspect physically

1 injured each victim, if applicable.

2 (c) A law enforcement agency described by Subsection (b)
3 shall remove the information from the database on the earliest of
4 the following dates:

5 (1) the date the agency no longer considers the person
6 a suspect in the relevant investigation;

7 (2) the date the person is charged with the offense
8 being investigated or a similar offense; or

9 (3) the fifth anniversary of the date the information
10 was entered into the database.

11 (d) The department may, as necessary, remove from the
12 database any information entered under this section.

13 (e) Information entered into the database under this
14 section is excepted from required disclosure under Chapter 552 in
15 the manner provided by Section 552.108.

16 SECTION 3. Section 420.035, Government Code, as added by
17 this Act, applies only to a pending investigation of a sexual
18 assault or other sex offense, regardless of whether the
19 investigation was commenced before, on, or after the effective date
20 of this Act.

21 SECTION 4. This Act takes effect September 1, 2019.