

By: Goldman

H.B. No. 3106

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a requirement that law enforcement agencies enter into
3 the Texas Data Exchange information related to investigations of
4 sexual assault or other sex offenses.

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

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

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

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

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

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

19 (2) the sex offense being investigated; and

20 (3) the concurrent physical offenses being
21 investigated; and

22 (4) the law enforcement agency investigating the
23 offense.

24 (c) A law enforcement agency described by Subsection (b)

1 shall remove the information from the database on the earliest of
2 the following dates:

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

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

7 (3) the fifth anniversary of the date the information
8 was entered into the database.

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

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

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

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