

BILL ANALYSIS

C.S.H.B. 1419
By: Hull
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

State law does not currently require information relating to missing persons or unidentified remains to be entered into the National Missing and Unidentified Persons System (NamUs). While some law enforcement agencies do enter information into NamUs, absent such a requirement many others do not. It has been suggested that requiring all law enforcement agencies, justices of the peace, and medical examiners to utilize NamUs would help conserve resources and solve missing persons cases quicker by ensuring ready access to important information in a centralized database. C.S.H.B. 1419 seeks to establish these reporting requirements.

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

C.S.H.B. 1419 amends the Code of Criminal Procedure to require a justice of the peace or medical examiner who is investigating the death of an unidentified person, or that person's designee, to enter all available identifying features of the body into the National Missing and Unidentified Persons System (NamUs) not later than the 10th working day after the date that one or more identifying features of the body are determined or the 60th day after the date the investigation began, whichever is earlier.

C.S.H.B. 1419 revises provisions establishing the duties of law enforcement agencies with respect to a report of a missing child, missing person, or unidentified body to do the following:

- clarify that the provisions apply to the Department of Public Safety;
- require an agency receiving a report of a missing child or person to enter the person's name and all available identifying information relating to them into NamUs not later than the 60th day after the date the agency receives the report; and
- require the local law enforcement agency having jurisdiction of an applicable investigation to immediately notify NamUs after the return of the missing child or person or the identification of the body.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1419 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include provisions requiring law enforcement agencies to enter information regarding unidentified bodies into NamUs but includes provisions that instead require a justice of the peace or medical examiner to do so.

The substitute extends the deadline for a law enforcement agency to enter information about a missing person into NamUs from 30 days to 60 days.