87R5975 MCF-D

By:  Menéndez S.B. No. 409

A BILL TO BE ENTITLED

AN ACT

relating to evidence included in the statewide electronic tracking system for evidence of a sexual assault or other sex offense.

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

SECTION 1.  Section 420.034(c), Government Code, is amended to read as follows:

(c)  The tracking system must:

(1)  include all evidence collected in relation to a sexual assault or other sex offense, regardless of whether evidence of the offense is collected in relation to an individual who is alive or deceased;

(2)  track the location and status of each item of evidence through the criminal justice process, including the initial collection of the item of evidence in a forensic medical examination, receipt and storage of the item of evidence at a law enforcement agency, receipt and analysis of the item of evidence at an accredited crime laboratory, and storage and destruction of the item of evidence after the item is analyzed;

(3) [~~(2)~~]  allow a facility or entity performing a forensic medical examination of a survivor, law enforcement agency, accredited crime laboratory, prosecutor, or other entity providing a chain of custody for an item of evidence to update and track the status and location of the item; and

(4) [~~(3)~~]  allow a survivor to anonymously track or receive updates regarding the status and location of each item of evidence collected in relation to the offense.

SECTION 2.  The change in law made by this Act applies only to evidence of a sexual assault or other sex offense collected on or after the effective date of this Act. Evidence collected before the effective date of this Act is governed by the law in effect on the date the evidence was collected, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2021.