

By: Meza

H.B. No. 229

A BILL TO BE ENTITLED

AN ACT

relating to reporting certain orders and convictions to the Department of Public Safety.

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

SECTION 1. Subchapter A, Chapter 7B, Code of Criminal Procedure, is amended by adding Article 7B.0085 to read as follows:

Art. 7B.0085. REPORTING. For an original or modified protective order issued under this subchapter, on receipt of the order from the clerk of the court, a law enforcement agency shall immediately, but not later than 48 hours after the order is received, enter the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Department of Public Safety.

SECTION 2. Subchapter B, Chapter 7B, Code of Criminal Procedure, is amended by adding Article 7B.054 to read as follows:

Art. 7B.054. REPORTING. For an original or modified protective order issued under this subchapter, on receipt of the order from the clerk of the court, a law enforcement agency shall immediately, but not later than 48 hours after the order is received, enter the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Department of Public Safety.

SECTION 3. Article 17.292(k), Code of Criminal Procedure, is amended to read as follows:

1 (k) To ensure that an officer responding to a call is aware  
2 of the existence and terms of an order for emergency protection  
3 issued under this article, not later than 48 hours [~~the third~~  
4 ~~business day~~] after the [~~date of~~] receipt of the copy of the order  
5 by the applicable law enforcement agency with jurisdiction over the  
6 municipality or county in which the victim resides, the law  
7 enforcement agency shall enter the information required by [~~under~~]  
8 Section 411.042(b)(6), Government Code, into the statewide law  
9 enforcement information system maintained by the Department of  
10 Public Safety.

11 SECTION 4. Article 66.252, Code of Criminal Procedure, is  
12 amended by amending Subsection (d) and adding Subsection (d-1) to  
13 read as follows:

14 (d) Except as provided by Subsection (d-1) or (e) or as  
15 otherwise required by applicable state law or rule, information or  
16 data required by this chapter to be reported to the Department of  
17 Public Safety or the Texas Department of Criminal Justice shall be  
18 reported promptly but not later than the 30th day after the date on  
19 which the information or data is received by the agency responsible  
20 for reporting it.

21 (d-1) A conviction that would prohibit a person from  
22 possessing a firearm under state or federal law shall be reported to  
23 the Department of Public Safety not later than 48 hours after the  
24 judgment of conviction is entered.

25 SECTION 5. Section 86.0011, Family Code, is amended to read  
26 as follows:

27 Sec. 86.0011. DUTY TO ENTER INFORMATION INTO STATEWIDE LAW

1 ENFORCEMENT INFORMATION SYSTEM. [~~(a)~~] On receipt of an original or  
2 modified protective order from the clerk of the issuing court, a law  
3 enforcement agency shall immediately, but not later than 48 hours  
4 [~~the third business day~~] after [~~the date~~] the order is received,  
5 enter the information required by Section 411.042(b)(6),  
6 Government Code, into the statewide law enforcement information  
7 system maintained by the Department of Public Safety.

8 [~~(b) In this section, "business day" means a day other than~~  
9 ~~a Saturday, Sunday, or state or national holiday.~~]

10 SECTION 6. The change in law made by this Act applies only  
11 to a protective order, magistrate's order for emergency protection,  
12 or judgment of conviction entered on or after the effective date of  
13 this Act.

14 SECTION 7. This Act takes effect September 1, 2021.