

By: Neave

H.B. No. 2555

A BILL TO BE ENTITLED

AN ACT

1
2 relating to evidence included in the statewide electronic tracking
3 system for evidence of a sexual assault or other sex offense and to
4 a report on the status of evidence in that system.

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

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

8 (c) The tracking system must:

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

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

20 (3) [~~(2)~~] allow a facility or entity performing a
21 forensic medical examination of a survivor, law enforcement agency,
22 accredited crime laboratory, prosecutor, or other entity providing
23 a chain of custody for an item of evidence to update and track the
24 status and location of the item; and

1 (4) [~~(3)~~] allow a survivor to anonymously track or
2 receive updates regarding the status and location of each item of
3 evidence collected in relation to the offense.

4 SECTION 2. Section 420.045, Government Code, is transferred
5 to Section 420.034, Government Code, redesignated as Subsection
6 (h), Section 420.034, Government Code, and amended to read as
7 follows:

8 (h) Not later than December 1 of each year, the department
9 [~~Sec. 420.045. REPORT OF UNANALYZED EVIDENCE OF SEXUAL ASSAULT OR~~
10 ~~OTHER SEX OFFENSE. Each law enforcement agency and public~~
11 ~~accredited crime laboratory]~~ shall submit a [~~quarterly~~] report to
12 the governor, lieutenant governor, speaker of the house of
13 representatives, and members of the legislature [~~department~~]
14 identifying the number of evidence collection kits that have [~~the~~
15 ~~law enforcement agency has]~~ not yet been submitted for laboratory
16 analysis or for which the [~~crime~~] laboratory analysis has not yet
17 been completed [~~an analysis~~], as applicable. The report must be
18 titled "Statewide Electronic Tracking System Report".

19 SECTION 3. The change in law made by this Act to Section
20 420.034(c), Government Code, applies only to evidence of a sexual
21 assault or other sex offense collected on or after the effective
22 date of this Act. Evidence collected before the effective date of
23 this Act is governed by the law in effect on the date the evidence
24 was collected, and the former law is continued in effect for that
25 purpose.

26 SECTION 4. This Act takes effect September 1, 2021.