

By: Howard

H.B. No. 2589

A BILL TO BE ENTITLED

AN ACT

relating to crime scene investigation services; authorizing fees.

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

SECTION 1. Article 38.01, Code of Criminal Procedure, is amended by adding Section 4-e to read as follows:

Sec. 4-e. CRIME SCENE INVESTIGATOR CERTIFICATION. (a) The commission by rule shall:

(1) establish the qualifications for a certification that include:

(A) successful completion of the education requirements established by the commission;

(B) specific coursework and experience; and

(C) successful completion of an examination required or recognized by the commission;

(2) set fees for the issuance and renewal of a certification; and

(3) establish the term of a crime scene investigator certification.

(b) The commission by rule may recognize a certification issued by a national organization specializing in crime scene investigation as satisfying the requirements established under Subsection (a) to the extent the commission determines the content required to receive the certification is substantially equivalent to the content of the requirements under that subsection.

1 (c) The commission shall issue a certification to an
2 applicant who:

3 (1) submits an application on a form prescribed by the
4 commission;

5 (2) meets the qualifications established by
6 commission rule; and

7 (3) pays the required fee.

8 SECTION 2. Section 252.022, Local Government Code, is
9 amended by adding Subsection (e) to read as follows:

10 (e) This chapter does not apply to an expenditure for crime
11 scene investigation services conducted by a law enforcement agency,
12 crime laboratory, or medical examiner's office if the law
13 enforcement agency, crime laboratory, or medical examiner's
14 office:

15 (1) is accredited under Section 4-d, Article 38.01,
16 Code of Criminal Procedure; or

17 (2) employs:

18 (A) more than 10 crime scene investigators and at
19 least 20 percent of the crime scene investigators are certified
20 under Section 4-e, Article 38.01, Code of Criminal Procedure; or

21 (B) 10 crime scene investigators or fewer and at
22 least one of the crime scene investigators is certified under
23 Section 4-e, Article 38.01, Code of Criminal Procedure.

24 SECTION 3. Subchapter C, Chapter 262, Local Government
25 Code, is amended by adding Section 262.0242 to read as follows:

26 Sec. 262.0242. MANDATORY EXEMPTION: CRIME SCENE
27 INVESTIGATION SERVICES. Section 262.023 does not apply to the

1 purchase of crime scene investigation services conducted by a law
2 enforcement agency, crime laboratory, or medical examiner's office
3 if the law enforcement agency, crime laboratory, or medical
4 examiner's office:

5 (1) is accredited under Section 4-d, Article 38.01,
6 Code of Criminal Procedure; or

7 (2) employs:

8 (A) more than 10 crime scene investigators and at
9 least 20 percent of the crime scene investigators are certified
10 under Section 4-e, Article 38.01, Code of Criminal Procedure; or

11 (B) 10 crime scene investigators or fewer and at
12 least one of the crime scene investigators is certified under
13 Section 4-e, Article 38.01, Code of Criminal Procedure.

14 SECTION 4. As soon as practicable after the effective date
15 of this Act, the Texas Forensic Science Commission shall adopt the
16 rules necessary to implement Section 4-e, Article 38.01, Code of
17 Criminal Procedure, as added by this Act.

18 SECTION 5. This Act takes effect September 1, 2021.