

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

1 receive updates regarding the status and location of each item of
2 evidence collected in relation to the offense.

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

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