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| BILL ANALYSIS |

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| H.B. 3958 |
| By: Smith |
| Homeland Security & Public Safety |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  The 86th Texas Legislature enacted H.B. 1399, which required a defendant to provide to a law enforcement agency one or more specimens for creating a DNA record upon arrest for certain felonies. This process can create a cost to local booking agencies, and currently there are not many avenues available to help offset these costs. H.B. 3958 seeks to address this issue by establishing a grant program to financially assist law enforcement agencies in taking a DNA sample after arresting a defendant for an applicable offense. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY**  It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 of this bill. |
| **ANALYSIS**  H.B. 3958 amends the Government Code to require the Department of Public Safety (DPS) to establish and implement a grant program, from money appropriated or otherwise available for the purpose, to assist law enforcement agencies in taking a DNA sample after arresting a defendant for an applicable offense as required under state law. The bill requires DPS to adopt rules necessary to implement this requirement. |
| **EFFECTIVE DATE**  September 1, 2023. |