

BILL ANALYSIS

H.B. 1385
By: Moody
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many large municipalities in Texas operate pretrial services offices that monitor defendants before the resolution of their charges. This monitoring helps to track recidivism rates and contributes to quantitative research on justice involvement. The information derived from these efforts over time provides invaluable data for evidence-based policymaking on criminal justice issues. In the past, the Department of Public Safety (DPS) provided criminal history record information to pretrial services offices but has recently stopped because of a change in the agency's statutory interpretation. H.B. 1385 seeks to remedy this issue by explicitly requiring DPS to share this critical information with pretrial services offices, which will help to improve data collection efforts and ultimately help policymakers make evidenced-based decisions on improvements to the criminal justice system.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1385 amends the Government Code to include a county office monitoring the pretrial release of a defendant, including a community supervision and corrections department or a personal bond office, among the entities to which the Department of Public Safety (DPS) must grant access to criminal history record information. The bill authorizes DPS to disseminate the information only to the extent necessary for the county office to perform a duty imposed by law to monitor the pretrial release of a defendant.

EFFECTIVE DATE

September 1, 2023.