

## **BILL ANALYSIS**

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

### **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.