

## **BILL ANALYSIS**

C.S.H.B. 4216  
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Criminal Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In the 1980s, The Rights of Crime Victims Act was passed by the Texas Legislature to enshrine the rights of victims into state law. These rights included, but were not limited to, the "right to information" regarding a victim's case and court proceedings. Due to the era in which this important piece of policy was adopted, it did not account for modern forms of electronic communication like emails, text, or other methods of personal contact. Currently, police departments and other agencies that communicate with victims of crime typically only do so by mail. C.S.H.B. 4216 seeks to modernize the forms of notification regarding the rights of crime victims by including an option for information pertaining to those rights to be delivered electronically to victims, guardians of victims, or close relatives of a deceased victim.

### **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**

C.S.H.B. 4216 amends the Code of Criminal Procedure to require a judge, state's attorney, peace officer, or law enforcement agency required to notify, inform, or disclose information to a victim, guardian of a victim, or close relative of a deceased victim in accordance with rights granted to crime victims to provide such notification or information in the following manner:

- electronically, including by text message, videoconference, or email;
- by mail;
- through an anonymous, online portal; or
- by contacting by telephone or otherwise making personal contact with the victim, guardian, or relative, as applicable.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 4216 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and substitute provide certain authorized forms of notification regarding the rights of crime victims, the substitute differs from the introduced as follows:

- the substitute includes the use of videoconference or mail as an authorized form of notification, which the introduced did not;
- the substitute omits a specification in the introduced that the notification through an anonymous, online portal must be on request of victim, guardian, or relative, as applicable; and
- the substitute contains a specification absent from the introduced that personal contact with such an individual may be made via telephone.