

By: Guillen

H.B. No. 4382

A BILL TO BE ENTITLED

AN ACT

relating to the timely reporting of criminal case dispositions to the Department of Public Safety and to the allocation of certain grant money.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 66.252, Code of Criminal Procedure, is amended by amending Subsection (d) and adding Subsection (e-1) to read as follows:

(d) Except as provided by Subsections ~~[Subsection]~~ (e) and (e-1) or as otherwise required by applicable state law or rule, information or data required by this chapter to be reported to the Department of Public Safety or the Texas Department of Criminal Justice shall be reported promptly but not later than the 30th day after the date on which the information or data is received by the agency responsible for reporting it.

(e-1) A clerk of court shall report to the Department of Public Safety the dispositions of criminal cases in the court not later than the fifth business day after the date of each disposition. Each month, the department shall aggregate on a county-wide basis information relating to the timeliness of the dispositions reported for that month by the clerks of court in each county under this subsection and shall determine the corresponding percentage of case dispositions that were timely reported for that county for that period.

SECTION 2. Article 66.402, Code of Criminal Procedure, is amended to read as follows:

Art. 66.402. CERTIFICATION REQUIRED FOR ALLOCATION OF CERTAIN GRANT MONEY. (a) Before allocating money to a county from any federal or state grant program for the enhancement of criminal justice programs, an agency of the state must certify that, using all or part of the allocated money, the county has taken or will take all action necessary to provide the Department of Public Safety and the Texas Department of Criminal Justice any criminal history records maintained by the county in the manner specified for purposes of those departments.

(b) Before allocating grant money to a county under Chapter 772, Government Code, the criminal justice division of the governor's office must certify that the county consistently reports to the Department of Public Safety not less than 90 percent of the dispositions of criminal cases in the county not later than the fifth business day after the date of the disposition, as determined from reports submitted to the department by clerks of the court in that county under Article 66.252(e-1). On request of the division, the department shall provide to the division the applicable information aggregated for a county under that subsection.

SECTION 3. This Act takes effect September 1, 2023.