

Amend CSSB 836 (senate committee printing) as follows:

(1) In SECTION 4 of the bill, in added Article 39.152(a), Code of Criminal Procedure (page 2, line 7), strike "child" and substitute "person".

(2) Add the following appropriately numbered SECTIONS to the bill and renumber the remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Articles 56A.403(a) and (d), Code of Criminal Procedure, are amended to read as follows:

(a) A peace officer who investigates an incident involving sexual assault or who responds to a disturbance call that may involve sexual assault shall provide to the victim a written notice containing information about the rights of crime victims under Article 56A.052 and the rights and procedures under Chapter 58.

(d) The notice required by Subsection (b) must be in English and Spanish and include the current contact information for a victim assistance coordinator under Article 56A.201 and a crime victim liaison under Article 56A.203. The notice is considered sufficient if it includes the following statements:

"NOTICE TO ADULT VICTIMS OF SEXUAL ASSAULT"

"It is a crime for any person to cause you any physical injury or harm."

"Please tell the investigating peace officer if you have been injured or if you feel you are going to be in danger when the officer leaves or at a later time."

"You have the right to:

"(1) obtain a forensic medical examination within 120 hours of the assault to collect potential evidence and receive preventative medications, even if you decide not to make a report to a law enforcement agency;

"(2) anonymously track or receive updates regarding the status and location of each item of evidence collected in your case;

"(3) have a sexual assault program advocate present during a forensic medical examination;

"(4) have a sexual assault program advocate or other victim's representative present during an investigative interview with law enforcement;

"(5) ask the local prosecutor to file a criminal complaint against the person who assaulted you; and

"(6) if a defendant is arrested for a crime against you involving certain sexual crimes, stalking, or trafficking:

"(A) request an order for emergency protection to be issued by a magistrate; [~~and~~]

"(B) using procedures provided by Chapter 58, Code of Criminal Procedure, request a pseudonym to be used instead of your name in all public files and records concerning the offense; and

"(C) apply to a court for a permanent order to protect you (you should consult a legal aid office, a prosecuting attorney, or a private attorney)."

"For example, the court can enter an order that prohibits the person who assaulted you from:

"(1) committing further acts of violence;

"(2) threatening, harassing, or contacting you or a member of your family or household; and

"(3) going near your place of employment or near a child care facility or school attended by you or a member of your family or household."

"You cannot be charged a fee by a court in connection with filing, serving, or entering a protective order."

"If you have questions about the status of your case or need assistance, you may contact the crime victim liaison (insert name) at our agency (law enforcement agency address and victim liaison phone number)."

"If you would like to speak with someone in the prosecuting attorney's office, you may reach their victim assistance coordinator at (address and phone number)."

"Call the following sexual assault program or social service organization if you need assistance or wish to speak with an advocate:

" \_\_\_\_\_  
" \_\_\_\_\_."

"You may receive a sexual assault forensic medical examination at the following location(s):

" \_\_\_\_\_

"\_\_\_\_\_."

"To get help from the National Human Trafficking Hotline: 1-888-373-7888 or text HELP or INFO to BeFree (233733)."

SECTION \_\_\_\_\_. Article 56A.403, Code of Criminal Procedure, as amended by this Act, applies only to a peace officer's investigation or response that occurs on or after the effective date of this Act. A peace officer's investigation or response that occurs before the effective date of this Act is governed by the law in effect on the date the investigation was conducted or the response was made, and the former law is continued in effect for that purpose.