

BILL ANALYSIS

S.B. 608
By: Flores
Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Legislature has previously taken steps to improve the processing and tracking of evidence collection kits for use in the collection and preservation of evidence of a sexual assault or other sex offense. Under current law, law enforcement agencies must work with health care facilities and other applicable entities to take possession of evidence collection kits in a timely manner. However, the bill sponsor has informed the committee that these kits are not always processed in the correct time frame, which can lead to delays in the prosecution of the offender. S.B. 608 seeks to address this issue by requiring the Department of Public Safety and county adult sexual assault response teams to report data on the number of evidence collection kits that a law enforcement agency did not take possession of by the statutorily prescribed deadline after receiving notice from the applicable health care facility or other entity.

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

S.B. 608 amends the Government Code and Local Government Code to include the number of evidence collection kits for use in the collection and preservation of evidence of a sexual assault or other sex offense that a law enforcement agency did not take possession of by the statutorily prescribed deadline after receiving notice from the applicable health care facility or other entity among the required contents of the following reports:

- the annual report that the Department of Public Safety is required to submit to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature identifying the number of evidence collection kits that have not yet been submitted for laboratory analysis or for which the laboratory analysis has not yet been completed, as applicable; and
- the biennial report that a county adult sexual assault response team is required to provide to the commissioners court of each county containing certain information on team members and the team's response protocol and sexual assault reports, investigations, and indictments.

EFFECTIVE DATE

September 1, 2025.