

BILL ANALYSIS

S.B. 1372
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 88th Texas Legislature, with the passage of S.B. 991, charged the Department of Public Safety with establishing a centralized crime laboratory portal to process record requests and facilitate the secure transmission of information among relevant parties, including laboratories, prosecutors, and defense attorneys. However, the bill sponsor has informed the committee that this bill created a conflict in statute. Whereas, under provisions governing the portal, a defendant or their attorney is permitted to access and use the portal but, under the Code of Criminal Procedure's provisions relating to discovery, a pro se defendant may only inspect and review materials when ordered by the court and is not entitled to electronic duplication. The bill sponsor has informed the committee that this discrepancy has caused confusion regarding proper access protocols. S.B. 1372 resolves this statutory inconsistency by removing the defendant as a person allowed to access the crime laboratory portal, aligning these provisions with the obligations and intent of provisions relating to discovery.

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. 1372 amends the Government Code, in the provision requiring the attorney representing the state, in accordance with Department of Public Safety rule, to designate a defendant or the defendant's attorney, as appropriate, as an individual who is authorized to access and use the crime laboratory portal, to remove a defendant as an individual who may be so designated. The bill applies only to a criminal proceeding that commences on or after the bill's effective date. A criminal proceeding that commences before the bill's effective date is governed by the law in effect on the date the proceeding commenced, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.