

**BILL ANALYSIS**

S.B. 1723

By: Creighton

Homeland Security, Public Safety & Veterans' Affairs  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

Over the past several legislative sessions, the Texas Legislature has made efforts to enhance the state's criminal identification and investigative tools by requiring defendants arrested for felony offenses to provide specimens for the purpose of creating a DNA record. The bill sponsor has informed the committee that these DNA collection procedures have yielded tangible results—most notably, solving over 1,000 cases in state fiscal year 2024 through DNA records collected at the time of booking. The bill sponsor has also informed the committee that, despite this progress, traditional DNA collection procedures can result in significant backlogs, often taking 24 to 72 hours to produce results, and that these delays can limit the utility of DNA records in real-time investigations and contribute to prolonged processing times. Furthermore, the bill sponsor has informed the committee that stakeholders in the fields of law enforcement and forensic science have called for improvements to DNA collection and analysis methods, especially in high-volume counties, and that the emergence of rapid DNA analysis technology, capable of producing results within two hours, offers a transformative opportunity to modernize these methods and improve criminal justice outcomes. S.B. 1723 aims to modernize Texas' forensic and criminal processing infrastructure by establishing a rapid DNA analysis pilot program overseen by the Department of Public Safety.

**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 rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 of this bill.

**ANALYSIS**

S.B. 1723 amends the Government Code to require the Department of Public Safety (DPS) to establish a pilot program to optimize the process of reporting DNA records and decrease the number of arrests for which a DNA sample is not collected and analyzed by assisting law enforcement agencies in implementing rapid DNA analysis of DNA samples collected from persons arrested for or convicted of certain offenses under applicable state law. The bill requires DPS to do the following with respect to the implementation of the pilot program:

- not later than September 1, 2025, begin updating information technology systems as necessary to support the pilot program; and
- not later than September 1, 2026, begin implementing the pilot program in two counties as determined by DPS.

The bill authorizes DPS to expand the pilot program to additional counties and authorizes DPS and each law enforcement agency participating in the pilot program to consult with the FBI regarding rapid DNA analysis implementation and best practices. The bill requires DPS, not

later than January 1, 2028, to review the pilot program established under the bill's provisions and submit a written report to the legislature on the pilot program and any recommendations regarding the continuation or expansion of the program. The bill authorizes DPS to do the following with respect to the pilot program:

- solicit and accept gifts, grants, and donations from any public or private source to fund the pilot program; and
- adopt rules as necessary to implement the bill's provisions.

The bill defines "rapid DNA analysis" as the fully automated processing of a reference buccal swab sample to provide a DNA record that is eligible for comparison in the CODIS database in not more than two hours without submitting the sample to a crime laboratory.

S.B. 1723 expires September 1, 2028.

#### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.