

## **BILL ANALYSIS**

Senate Research Center  
89R8237 JDK-F

S.B. 1723  
By: Creighton  
Criminal Justice  
4/25/2025  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In the 86th Legislature, H.B. 1399 was signed into law requiring collection of DNA samples by law enforcement at the time of booking for certain felony arrests. In the 88th Legislature, H.B. 3956 was signed into law requiring DNA samples to be collected at booking for all arrestees charged with a felony class offense. As a result of this historic legislation, in fiscal year 2024, the Texas Department of Public Safety (DPS) Crime Lab Division solved approximately 1,005 cases utilizing DNA collection at the time of booking.

New technology has emerged that severely decreases the time required to process the DNA samples that are collected at booking. Instead of taking up to between 24 to 72 hours and falling into a testing backlog, rapid DNA analysis allows for samples collected to be processed, analyzed, and provide results in 90 to 120 minutes. This breakthrough technology, when implemented, will streamline the DNA collection and analyzation process to solve cold cases, reduce DNA testing backlogs, and prevent violent, repeat offenders from committing crimes.

S.B. 1723 establishes a rapid DNA analysis pilot program under the guidance of DPS no later than September 1, 2026. DPS will select two counties to participate in the pilot program.

S.B. 1723 permits DPS and participating law enforcement agencies to consult with the Federal Bureau of Investigation regarding rapid DNA analysis implementation and best practices.

DPS is directed to review the pilot program and submit a report to the legislature on the pilot program and any recommendations they may have regarding the continuation or expansion of the program no later than January 1, 2028.

Additionally, DPS is permitted to accept gifts, grants, and donations pertaining to funding the pilot program.

As proposed, S.B. 1723 amends current law relating to the establishment of a rapid DNA analysis pilot program in certain counties.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Public Safety in SECTION 1 (Section 411.1465, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter G, Chapter 411, Government Code, by adding Section 411.1465, as follows:

Sec. 411.1465. RAPID DNA ANALYSIS PILOT PROGRAM. (a) Defines "rapid DNA analysis."

(b) Requires the Texas 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 under Section 411.1471(b) (relating to requiring a law enforcement agency booking a defendant to require the defendant to provide one or more specimens for the purpose of creating a DNA record).

(c) Requires DPS, not later than September 1, 2025, to begin updating information technology systems as necessary to support the pilot program.

(d) Requires DPS, not later than September 1, 2026, to begin implementing the pilot program in two counties as determined by DPS. Authorizes DPS to expand the pilot program to additional counties.

(e) Authorizes DPS and each law enforcement agency participating in the pilot program to consult with the Federal Bureau of Investigation regarding rapid DNA analysis implementation and best practices.

(f) Requires DPS, not later than January 1, 2028, to review the pilot program established under this section and submit a written report to the legislature on the pilot program and any recommendations regarding the continuation or expansion of the program.

(g) Authorizes DPS to solicit and accept gifts, grants, and donations from any public or private source to fund the pilot program.

(h) Authorizes DPS to adopt rules as necessary to implement this section.

(i) Provides that this section expires September 1, 2028.

SECTION 2. Effective date: upon passage or September 1, 2025.