

By: Hagenbuch

S.B. No. 2177

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a grant program to assist local law enforcement agencies in solving violent and sexual offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.00791 to read as follows:

Sec. 772.00791. GRANT PROGRAM TO ASSIST LOCAL LAW ENFORCEMENT IN SOLVING VIOLENT AND SEXUAL OFFENSES. (a) In this section:

(1) "Clearance by arrest" means that, with respect to an offense reported to a law enforcement agency, the agency:

(A) has:

(i) arrested and charged at least one suspect with the commission of the offense; and

(ii) turned the suspect over to the court for prosecution; or

(B) has cited an individual younger than 18 years of age and required the individual to appear in juvenile court or before another juvenile authority with respect to the offense, regardless of whether an arrest occurred.

(2) "Clearance by exception" means that, with respect to an offense reported to a law enforcement agency, the agency:

(A) has confirmed the suspect's identity;

(B) has sufficient evidence for arrest;

1 (C) knows the suspect's specific location; and

2 (D) has encountered factors beyond law
3 enforcement control that hinder the arrest, charging, and
4 prosecution of the suspect.

5 (3) "Clearance rate" means, with respect to an offense
6 or category of offense reported to a law enforcement agency, a
7 fraction:

8 (A) the numerator of which is the number of
9 offenses cleared by the agency through clearance by arrest and
10 clearance by exception; and

11 (B) the denominator of which is the total number
12 of offenses reported to the agency.

13 (4) "Criminal justice division" means the criminal
14 justice division established under Section 772.006.

15 (5) "Sexual offense" means an offense under any of the
16 following provisions of the Penal Code:

17 (A) Section 21.11 (indecenty with a child);

18 (B) Section 22.011 (sexual assault); or

19 (C) Section 22.021 (aggravated sexual assault).

20 (6) "Violent offense" means an offense under any of
21 the following provisions of the Penal Code:

22 (A) Section 19.02 (murder);

23 (B) Section 19.03 (capital murder);

24 (C) Section 20.04 (aggravated kidnapping);

25 (D) Section 22.02(a)(2) (aggravated assault with
26 a deadly weapon); or

27 (E) Section 29.03 (aggravated robbery).

1 (b) This section applies only to a law enforcement agency
2 employing one or more peace officers described by Article 2A.001(1)
3 or (3), Code of Criminal Procedure.

4 (c) The criminal justice division shall establish and
5 administer a grant program through which a law enforcement agency
6 may apply for a grant designed to improve clearance rates for
7 violent and sexual offenses.

8 (d) The criminal justice division shall establish:

9 (1) eligibility criteria for grant applications;

10 (2) grant application procedures;

11 (3) guidelines relating to grant amounts; and

12 (4) procedures for evaluating grant applications.

13 (e) Grant money awarded under this section may be used to
14 pay for:

15 (1) hiring, training, and retaining personnel to:

16 (A) investigate violent and sexual offenses;

17 (B) collect, process, and forensically test
18 evidence; or

19 (C) analyze violent and sexual offenses,
20 including temporal and geographical trends;

21 (2) acquiring, upgrading, or replacing technology or
22 equipment related to evidence collection, evidence processing, or
23 forensic testing; and

24 (3) upgrading record management systems to achieve
25 compliance with the reporting requirements under Subsection (f).

26 (f) A law enforcement agency that receives a grant awarded
27 under the program annually shall report:

1 (1) the clearance rate and the percentage of the
2 clearance rate that is clearance by arrest and the percentage that
3 is clearance by exception for:

4 (A) violent offenses;
5 (B) sexual offenses; and
6 (C) each offense listed in Subsection (a)(5) or
7 (6);

8 (2) the average duration between the date of the
9 offense and the date of clearance for:

10 (A) violent offenses;
11 (B) sexual offenses; and
12 (C) each offense listed in Subsection (a)(5) or
13 (6); and

14 (3) the percentage of the grant amount used for each
15 authorized use listed in Subsection (e).

16 (g) The criminal justice division shall periodically
17 evaluate the practices employed by grant recipients to identify
18 policies and procedures that have successfully improved clearance
19 rates for violent and sexual offenses. The division may contract
20 with a third party to conduct an evaluation under this subsection.

21 (h) The criminal justice division shall include in the
22 biennial report required by Section 772.006(a)(9) a detailed
23 reporting of the results and performance of the grant program
24 administered under this section.

25 (i) A governmental entity may not reduce the amount of funds
26 provided to a law enforcement agency because the agency received a
27 grant under this section.

1 (j) The criminal justice division may use any revenue
2 available for purposes of this section.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2025.