

BILL ANALYSIS

C.S.H.B. 2672
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Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Reports indicate that the vast majority of perpetrators of sexual assault will never serve time for their offense. It has been suggested that lawmakers should look into the reasons why this is the case so as to be better able to ensure that offenders are held accountable for their actions. C.S.H.B. 2672 provides for a study on the investigation and prosecution of sexual assault offenses.

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

C.S.H.B. 2672 amends the Government Code to require the Department of Public Safety (DPS) to conduct a study regarding the investigation and prosecution of sexual assault offenses to determine the rate of case attrition for those offenses and the reasons for the case attrition. The bill requires DPS, in conducting the study, to compile information relating to the commission of sexual assault and aggravated sexual assault offenses, including specified information regarding the number of cases that were forwarded to the appropriate local county or district attorney or closed or classified as inactive without forwarding to the attorney, cases not prosecuted by the attorney, and cases dismissed after an indictment had been filed. The bill requires DPS to require each of the governmental entities it identifies as possessing such information to report the information to DPS in the manner prescribed by DPS. The bill requires DPS, not later than December 1, 2020, to submit to the governor, the lieutenant governor, and each member of the legislature and publish on the DPS website a report on the results of the study and recommendations for legislative or other action. The bill's provisions expire September 1, 2021.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2672 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a requirement for DPS to analyze the compiled information in conducting the study.

The substitute includes a requirement for DPS to publish the report on its website.