

- SUBJECT:** Creating a grant fund to test evidence of sexual offenses
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 7 ayes — Moody, Hunter, Canales, Gervin-Hawkins, Hefner, Lang, Wilson
0 nays
- WITNESSES:** For — Goodman Holiday, Austin Justice Coalition; Kristen Lenau and Kirstin Naumann, SAFE Alliance; Amanda Lewis, Survivor Justice Project; Liz Boyce, Texas Association Against Sexual Assault; (*Registered, but did not testify:* Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Jim Allison, County Judges and Commissioners Association of Texas; Charles Reed, Dallas County Commissioners Court; Donna Warndof, Harris County; Brenda Koegler, League of Women Voters of Texas; Tiana Sanford, Montgomery County District Attorney; Jimmy Rodriguez, San Antonio Police Officers Association; Buddy Mills, Ricky Scaman, R. Glenn Smith, and Kelly Rowe, Sheriffs' Association of Texas; Ana DeFrates, Survivor Justice Project; Mark Mendez, Tarrant County; Donald Lee, Texas Conference of Urban Counties; Yannis Banks, Texas NAACP; Julie Wheeler, Travis County Commissioners Court; Justin Wood, Travis County District Attorney's Office; Maria Garcia and Erica Vega, United We Dream; Jose Garibay; Joey Gidseg; Kevin Lenau; Megan Morgan)

Against — None

On — Skylor Hearn, Department of Public Safety; Peter Stout and Robin Guidry, Houston Forensic Science Center
- DIGEST:** HB 1729 would create a grant program for the testing of sexual offense evidence administered by the Criminal Justice Division of the Office of the Governor. Counties and law enforcement agencies could apply for grant funds only to pay for accredited crime laboratories to test evidence collected in sexual offense investigations.

These grants would be funded by voluntary donations of \$1 or more from people applying for an original or renewed driver's license, commercial driver's license, or personal ID. Donations also could be made when applying for or renewing a license or ID on the Department of Public Safety's website.

After deducting reasonable administration expenses, the Department of Public Safety monthly would remit the money collected to the Comptroller of Public Accounts, which would place the funds in the general revenue dedicated evidence testing account established by the bill. The criminal justice division would track the results and performance of grants and include those data in its existing biennial report to the Legislature.

The bill would take effect September 1, 2017, and voluntary contributions would begin January 1, 2018.

**SUPPORTERS
SAY:**

CSHB 1729 would provide funding to accelerate the process of testing evidence related to sexual assaults. While Texas has made great strides in the past few years, there is still a backlog of rape kits that have not been tested. This has created unreasonably long delays in getting sexual assault evidence tested in some counties. According to the Legislative Budget Board, this bill is expected to generate more than \$1 million in voluntary donations, allowing counties and law enforcement agencies to address the testing backlog without costing the state additional money.

Sexual assault is a traumatic experience, yet survivors often experience more trauma during a lengthy evidence collection process and a much longer wait for testing results, which for too many victims remains ongoing. CSHB 1729 would help local entities in Texas meet their responsibility to quickly and accurately test evidence, hastening the prospect of justice and closure for sexual assault survivors.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES: The companion bill, SB 1163 by Garcia, was reported favorably as substituted by the Senate Criminal Justice Committee on March 29.

CSHB 1729 differs from the bill as filed by allowing applicants for commercial driver's licenses and personal identification to make voluntary contributions. It also would allow counties to apply directly for grants, rather than limiting applications to law enforcement agencies.