

BILL ANALYSIS

Senate Research Center
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S.B. 970
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When a suspect is served with a warrant to submit a DNA specimen for the purpose of connecting them to an offense, it is often laborious, inefficient, and time consuming for law enforcement personnel to coordinate with the court(s) of jurisdiction to obtain the specimen.

For example, a detective from Harris County needed to get a Combined DNA Index System (CODIS) warrant in order to connect a suspect located in Jefferson County to a crime committed in Harris County. To do this, the detective had to first find a district attorney in Jefferson County, then a judge in Jefferson County to sign the warrant.

This process is inefficient, time consuming, and stymies law enforcement personnel from connecting suspects to other crimes committed outside of their jurisdiction.

S.B. 970 addresses this issue by allowing DNA specimen warrants to be executed in any county in the state, regardless of jurisdiction. This will ease the burden on both law enforcement and the individuals served with a warrant.

As proposed, S.B. 970 amends current law relating to the execution of a search warrant for taking a DNA specimen.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 18, Code of Criminal Procedure, by adding Article 18.065, as follows:

Art. 18.065. WARRANT FOR DNA SPECIMEN MAY BE EXECUTED IN ANY COUNTY. Authorizes a warrant issued under Article 18.02(10) (relating to authorizing a search warrant to search for and seize property or items) to collect a DNA specimen from a person for the purpose of connecting that person to an offense, notwithstanding any other law, to be executed in any county in this state, regardless of whether the issuing court's jurisdiction extends outside the county in which that court is located.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.