

BILL ANALYSIS

Senate Research Center
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H.B. 2455
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Family violence, sexual assault, stalking, and human trafficking are common occurrences in Texas. However, the actual frequency of these crimes is unclear, because state and local agencies across Texas conduct data collection and reporting in widely varying ways. In addition, responsibility for capturing this data is split across numerous state agencies. The resulting inconsistency yields inaccurate numbers, making it more difficult for the state to address crime and protect victims efficiently and effectively.

H.B. 2455 seeks to provide for an accurate and uniform system of gathering and reporting data to efficiently deploy funding, training, and safety resources to aid affected families and victims.

H.B. 2455 amends current law relating to the establishment of a task force to promote uniformity in the collection and reporting of information relating to family violence, sexual assault, stalking, and human trafficking.

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 72, Government Code, by adding Subchapter F, as follows:

SUBCHAPTER F. TASK FORCE TO PROMOTE UNIFORMITY IN COLLECTION AND REPORTING OF INFORMATION ON FAMILY VIOLENCE, SEXUAL ASSAULT, STALKING, AND HUMAN TRAFFICKING

Sec. 72.101. DEFINITIONS. Defines "family violence" and "task force" in this subchapter.

Sec. 72.102. TASK FORCE MEMBERSHIP. (a) Provides that the task force established under this subchapter to promote uniformity in the collection and reporting of information relating to family violence, sexual assault, stalking, and human trafficking (task force) consists of:

(1) one member from the Office of Court Administration of the Texas Judicial System (OCA), appointed by the director;

(2) 15 members appointed by the presiding officer of the task force as follows:

(A) one member from the bureau of identification and records of the Department of Public Safety of the State of Texas;

(B) one member from a statewide family violence advocacy organization;

(C) one member from a statewide sexual assault advocacy organization;

(D) one member who is a prosecuting attorney with experience in obtaining protective orders in cases involving family violence, sexual assault, stalking, or human trafficking;

(E) one member who is a magistrate with experience in issuing orders for emergency protection under Article 17.292 (Magistrate's Order for Emergency Protection), Code of Criminal Procedure;

(F) one member who is a judge or an associate judge with experience in issuing protective orders in cases involving family violence, sexual assault, stalking, or human trafficking;

(G) one member from The University of Texas School of Law Domestic Violence Clinic;

(H) one member who is from an organization that receives federal funding under the legal assistance for victims grant program and who has expertise in issues related to family violence, sexual assault, or stalking;

(I) two members from a law enforcement agency, including one member who is a constable;

(J) one member from the Texas Center for the Judiciary;

(K) one member from the Texas Municipal Courts Education Center;

(L) one member from the Texas Justice Court Training Center;

(M) one member from the County and District Clerks' Association of Texas; and

(N) one member from the child support division of the office of the attorney general; and

(3) any other member whom the presiding officer determines to be appropriate and who consents to serve on the task force.

(b) Provides that the presiding officer of the task force is the member who represents OCA.

(c) Provides that appointed members of the task force serve at the will of the appointing authority. Requires that a vacancy on the task force be filled in the same manner as the original appointment.

Sec. 72.103. MEETINGS; COMPENSATION. (a) Requires the task force to meet at the call of the presiding officer.

(b) Provides that members of the task force serve without compensation or reimbursement for expenses.

Sec. 72.104. DUTIES. (a) Requires the task force to:

(1) solicit and receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations, including:

(A) survivors of family violence, sexual assault, stalking, or human trafficking;

(B) law enforcement officials whose duties include submitting information to the Texas Crime Information Center;

(C) individuals with technical expertise in and familiarity with the programming and maintenance of the database maintained by the Texas Crime Information Center;

(D) individuals with technical expertise in and familiarity with OCA's database on family violence; and

(E) individuals with expertise in issues related to family violence, sexual assault, stalking, or human trafficking; and

(2) develop policy recommendations and best practices guidelines for the uniform collection and reporting of information relating to family violence, sexual assault, stalking, and human trafficking.

(b) Requires the task force, in developing policy recommendations and best practices guidelines under Subsection (a)(2), to examine best practices regarding uniform data collection and reporting and any studies or reports that the task force considers relevant.

Sec. 72.105. REPORT. Requires the task force, not later than September 1, 2016, to prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature a report that includes:

(1) a description of the activities of the task force;

(2) the findings and recommendations of the task force, including the policy recommendations and best practices guidelines developed by the task force under Section 72.104(a)(2); and

(3) any other matter that the task force considers appropriate.

Sec. 72.106. ADMINISTRATIVE SUPPORT. Requires OCA to provide reasonably necessary administrative and technical support for the activities of the task force.

Sec. 72.107. ASSISTANCE WITH RECOMMENDATIONS. Requires OCA to seek the assistance of the task force before OCA makes any recommendation as a result of the work done by the task force.

Sec. 72.108. EXPIRATION DATE. Provides that the task force is abolished and this subchapter expires on September 1, 2017.

SECTION 2. Requires the appropriate persons, as soon as practicable after the effective date of this Act, to appoint the members of the task force created by Subchapter F, Chapter 72, Government Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2015.