

## **BILL ANALYSIS**

Senate Research Center  
86R31140 JCG-D

C.S.H.B. 3106  
By: Goldman et al. (Huffman)  
Criminal Justice  
5/9/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

C.S.H.B. 3106 amends current law relating to a requirement that law enforcement agencies enter into a certain database information related to investigations of sexual assault or other sex offenses.

### **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. Requires this Act to be known as Molly Jane's Law.

SECTION 2. Amends Subchapter B, Chapter 420, Government Code, by adding Section 420.035, as follows:

Sec. 420.035. DUTY TO ENTER CERTAIN INFORMATION INTO VIOLENT CRIMINAL APPREHENSION PROGRAM DATABASE. (a) Defines "database," for purposes of this section, as the national database of the Violent Criminal Apprehension Program established and maintained by the Federal Bureau of Investigation (FBI), or a successor database (ViCAP database).

(b) Requires each law enforcement agency in this state to request access from the FBI to enter information into the ViCAP database.

(c) Requires a law enforcement agency that investigates a sexual assault or other sex offense to enter into the ViCAP database the following information regarding the investigation of the sexual assault or other sex offense, as available:

(1) the suspect's name and date of birth;

(2) the specific offense being investigated;

(3) a description of the manner in which the offense was committed, including any pattern of conduct occurring during the course of multiple offenses suspected to have been committed by the suspect; and

(4) any other information required by the FBI for inclusion in the ViCAP database.

(d) Provides that information entered into the ViCAP database under this section is exempted from required disclosure under Chapter 552 (Public Information) in the manner provided by Section 552.108 (Exception: Certain Law Enforcement, Corrections, and Prosecutorial Information).

SECTION 3. Provides that Section 420.035, Government Code, as added by this Act, applies only to a pending investigation of a sexual assault or other sex offense, regardless of whether the investigation was commenced before, on, or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2019.