

By: Rose

H.B. No. 1528

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the reporting of certain information involving family  
3 violence offenses.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article 66.102(f), Code of Criminal Procedure,  
6 is amended to read as follows:

7 (f) Information in the computerized criminal history system  
8 relating to sentencing must include for each sentence:

9 (1) the sentencing date;

10 (2) the sentence for each offense, by offense code and  
11 incident number;

12 (3) if the offender was sentenced to confinement:

13 (A) the agency that receives custody of the  
14 offender;

15 (B) the length of the sentence for each offense;

16 and

17 (C) if multiple sentences were ordered, whether  
18 the sentences were ordered to be served consecutively or  
19 concurrently;

20 (4) if the offender was sentenced to pay a fine, the  
21 amount of the fine;

22 (5) if a sentence to pay a fine or to confinement was  
23 ordered but was deferred, probated, suspended, or otherwise not  
24 imposed:

1 (A) the length of the sentence or the amount of  
2 the fine that was deferred, probated, suspended, or otherwise not  
3 imposed; and

4 (B) the offender's name, offense code, and  
5 incident number; ~~and~~

6 (6) if a sentence other than a fine or confinement was  
7 ordered, a description of the sentence ordered; and

8 (7) whether the judgment imposing the sentence  
9 reflects an affirmative finding entered under Article 42.013  
10 (Finding of Family Violence).

11 SECTION 2. Article 66.252, Code of Criminal Procedure, is  
12 amended by amending Subsection (b) and adding Subsection (g) to  
13 read as follows:

14 (b) The arresting law enforcement agency shall prepare a  
15 uniform incident fingerprint card described by Article 66.251 and  
16 initiate the reporting process for each offender charged with:

17 (1) a felony;

18 (2) ~~or~~ a misdemeanor for which a term of confinement  
19 may be imposed; or

20 (3) a misdemeanor punishable by fine only that  
21 involves family violence, as defined by Section 71.004, Family Code  
22 [~~other than a misdemeanor punishable by fine only~~].

23 (g) On disposition of a case in which an offender is charged  
24 with a misdemeanor described by Subsection (b)(3), the clerk of the  
25 court exercising jurisdiction over the case shall report the  
26 applicable information regarding the person's citation or arrest  
27 and the disposition of the case to the Department of Public Safety

1 using a uniform incident fingerprint card described by Article  
2 66.251 or an electronic methodology approved by the Department of  
3 Public Safety.

4           SECTION 3. The change in law made by this Act applies only  
5 to an offense committed on or after the effective date of this Act.  
6 An offense committed before the effective date of this Act is  
7 covered by the law in effect on the date the offense was committed,  
8 and the former law is continued in effect for that purpose. For  
9 purposes of this section, an offense was committed before the  
10 effective date of this Act if any element of the offense occurred  
11 before that date.

12           SECTION 4. This Act takes effect September 1, 2019.