

BILL ANALYSIS

H.B. 238
By: Hernandez
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that current state law does not adequately require certain prostitution offenders to submit a DNA sample for the state's DNA database system and the federal Combined DNA Index System. H.B. 238 seeks to address this issue by ensuring that offenses inadvertently excluded from the DNA records requirement will be included.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 238 amends the Government Code to include among the defendants convicted of certain offenses required to provide to a law enforcement agency one or more specimens for the purpose of creating a DNA record a person convicted of a prostitution offense for which the actor, based on the payment of a fee by the actor or another person on behalf of the actor, knowingly offered to engage, agreed to engage, or engaged in sexual conduct or knowingly solicited another in a public place to engage with the actor in sexual conduct for hire.

EFFECTIVE DATE

September 1, 2017.