

## **BILL ANALYSIS**

H.B. 3424  
By: Thompson, Senfronia  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that DNA evidence that does not belong to a defendant in a criminal case but can be matched with a DNA profile in a law enforcement agency's database should be considered exculpatory evidence and meets the requirements for a defendant to obtain post-conviction forensic DNA testing. H.B. 3424 seeks to make DNA evidence more available for consideration by the criminal justice system.

### **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. 3424 amends the Code of Criminal Procedure to establish that, for purposes of forensic DNA testing ordered by a convicting court, exculpatory results include DNA test results that indicate a match between an unidentified DNA profile on the evidence tested and another individual's DNA profile contained in a DNA database or otherwise in the possession of a law enforcement agency.

### **EFFECTIVE DATE**

September 1, 2019.