

## **BILL ANALYSIS**

H.B. 1528  
By: Rose  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been noted that law enforcement is not required to enter certain family violence misdemeanor convictions or affirmative findings of family violence into the computerized criminal history system. It has been suggested that the reporting of these convictions and findings will aid in identifying habitual offenders, provide greater protection for victims of family violence, and empower law enforcement and prosecutors, who will be able to make more informed decisions knowing the history of a suspect. H.B. 1528 seeks to proactively protect those vulnerable to family violence by providing for the reporting of certain information involving family violence offenses.

### **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. 1528 amends the Code of Criminal Procedure to require information in the computerized criminal history system relating to sentencing to include for each sentence whether the judgment imposing the sentence reflects an affirmative finding of family violence. The bill includes an offender charged with a misdemeanor punishable by fine only that involves family violence among the offenders for whom an arresting law enforcement agency is required to prepare a uniform incident fingerprint card and to initiate the reporting process of applicable offender data. The bill requires the clerk of the court exercising jurisdiction over a case in which an offender is charged with such a misdemeanor, on disposition of the case, to report the applicable information regarding the person's citation or arrest and the disposition of the case to the Department of Public Safety (DPS) using a uniform incident fingerprint card or an electronic methodology approved by DPS.

### **EFFECTIVE DATE**

September 1, 2019.