

1-1 By: Garcia S.B. No. 1163  
1-2 (In the Senate - Filed February 28, 2017; March 9, 2017,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 29, 2017, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 29, 2017,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

|      | Yea       | Nay | Absent | PNV |
|------|-----------|-----|--------|-----|
| 1-8  |           |     |        |     |
| 1-9  | Whitmire  | X   |        |     |
| 1-10 | Huffman   | X   |        |     |
| 1-11 | Birdwell  | X   |        |     |
| 1-12 | Burton    | X   |        |     |
| 1-13 | Creighton | X   |        |     |
| 1-14 | Garcia    | X   |        |     |
| 1-15 | Hughes    | X   |        |     |
| 1-16 | Menéndez  | X   |        |     |
| 1-17 | Perry     | X   |        |     |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1163 By: Whitmire

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to establishing and funding a grant program for testing  
1-22 evidence collected in relation to sexual assaults or other sex  
1-23 offenses; authorizing voluntary contributions.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter A, Chapter 521, Transportation Code,  
1-26 is amended by adding Section 521.012 to read as follows:

1-27 Sec. 521.012. VOLUNTARY CONTRIBUTION FOR EVIDENCE TESTING  
1-28 GRANT PROGRAM. (a) When a person applies for an original or  
1-29 renewal driver's license or personal identification certificate  
1-30 under this chapter, the person may contribute \$1 or more to the  
1-31 evidence testing grant program established under Section  
1-32 772.00715, Government Code.

1-33 (b) The department shall:

1-34 (1) include space on the first page of each  
1-35 application for an original or renewal driver's license or personal  
1-36 identification certificate that allows a person applying for an  
1-37 original or renewal driver's license or personal identification  
1-38 certificate to indicate the amount that the person is voluntarily  
1-39 contributing to the grant program; and

1-40 (2) provide an opportunity for the person to  
1-41 contribute to the grant program during the application process for  
1-42 an original or renewal driver's license or personal identification  
1-43 certificate on the department's Internet website.

1-44 (c) The department shall send any contribution made under  
1-45 this section to the comptroller for deposit to the credit of the  
1-46 evidence testing account established under Section 772.00716,  
1-47 Government Code, not later than the 14th day of each month. Before  
1-48 sending the money to the comptroller, the department may deduct  
1-49 money equal to the amount of reasonable expenses for administering  
1-50 this section.

1-51 SECTION 2. Subchapter C, Chapter 522, Transportation Code,  
1-52 is amended by adding Section 522.0295 to read as follows:

1-53 Sec. 522.0295. VOLUNTARY CONTRIBUTION FOR EVIDENCE TESTING  
1-54 GRANT PROGRAM. (a) When a person applies for an original or  
1-55 renewal commercial driver's license under this chapter, the person  
1-56 may contribute \$1 or more to the evidence testing grant program  
1-57 established under Section 772.00715, Government Code.

1-58 (b) The department shall:

1-59 (1) include space on the first page of each  
1-60 application for an original or renewal commercial driver's license

that allows a person applying for an original or renewal commercial driver's license to indicate the amount that the person is voluntarily contributing to the grant program; and

(2) provide an opportunity for the person to contribute to the grant program during the application process for an original or renewal commercial driver's license on the department's Internet website.

(c) The department shall send any contribution made under this section to the comptroller for deposit to the credit of the evidence testing account established under Section 772.00716, Government Code, not later than the 14th day of each month. Before sending the money to the comptroller, the department may deduct money equal to the amount of reasonable expenses for administering this section.

SECTION 3. Subchapter A, Chapter 772, Government Code, is amended by adding Sections 772.00715 and 772.00716 to read as follows:

Sec. 772.00715. EVIDENCE TESTING GRANT PROGRAM. (a) In this section:

(1) "Accredited crime laboratory" has the meaning assigned by Section 420.003.

(2) "Criminal justice division" means the criminal justice division established under Section 772.006.

(3) "Grant program" means the evidence testing grant program established under this section.

(4) "Law enforcement agency" means:

(A) the police department of a municipality;

(B) the sheriff's office of a county; or

(C) a constable's office of a county.

(b) The criminal justice division shall establish and administer a grant program and shall disburse funds to assist law enforcement agencies or counties in testing evidence collected in relation to a sexual assault or other sex offense.

(c) Grant funds may be used only for the testing by an accredited crime laboratory of evidence that was collected in relation to a sexual assault or other sex offense.

(d) The criminal justice division:

(1) may establish additional eligibility criteria for grant applicants; and

(2) shall establish:

(A) grant application procedures;

(B) guidelines relating to grant amounts; and

(C) criteria for evaluating grant applications.

(e) The criminal justice division shall include in the biennial report required by Section 772.006(a)(9) detailed reporting of the results and performance of the grant program.

(f) The criminal justice division may use any revenue available to the division to fund the grant program.

Sec. 772.00716. EVIDENCE TESTING ACCOUNT. (a) The evidence testing account is created as a dedicated account in the general revenue fund of the state treasury.

(b) Money in the account may be appropriated only to the criminal justice division established under Section 772.006 for purposes of the evidence testing grant program established under Section 772.00715.

(c) Funds distributed under Section 772.00715 are subject to audit by the comptroller.

SECTION 4. The changes in law made by this Act apply only to a person who applies for an original or renewal driver's license, commercial driver's license, or personal identification certificate on or after January 1, 2018.

SECTION 5. This Act takes effect September 1, 2017.

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