

Sec. 420.035. EVIDENCE RELEASE. (a) If a health care facility or other entity that performs a medical examination to collect evidence of a sexual assault or other sex offense receives signed, written consent to release the evidence as provided by Section [420.0735](#), the facility or entity shall:

(1) promptly notify any law enforcement agency investigating the offense; and

(2) not later than two business days after the date the examination is performed, enter the identification number of the evidence collection kit into the statewide electronic tracking system under Section [420.034](#).

(b) Except as provided by Subsection (c), a law enforcement agency that receives notice from a health care facility or other entity under Subsection (a) shall take possession of the evidence not later than the seventh day after the date the law enforcement agency receives notice.

(c) A law enforcement agency that receives notice from a health care facility or other entity that is located more than 100 miles from the law enforcement agency shall take possession of the evidence not later than the 14th day after the date the law enforcement agency receives notice.

(d) Failure to comply with evidence collection procedures or requirements under this section does not affect the admissibility of the evidence in a trial of the offense.

Added by Acts 2019, 86th Leg., R.S., Ch. 408 (H.B. [8](#)), Sec. 7, eff. September 1, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 817 (H.B. [2462](#)), Sec. 14, eff. September 1, 2021.

Sec. 420.036. DUTY TO ENTER CERTAIN INFORMATION INTO VIOLENT CRIMINAL APPREHENSION PROGRAM DATABASE. (a) In this section, "database" means the national database of the Violent Criminal Apprehension Program established and maintained by the Federal Bureau of Investigation, or a successor database.

(b) Each law enforcement agency in this state shall request access from the Federal Bureau of Investigation to enter information into the database.

(c) A law enforcement agency that investigates a sexual assault or other sex offense shall enter into the database the following information regarding the investigation of the sexual assault or other sex offense, as available:

- (1) the suspect's name and date of birth;
- (2) the specific offense being investigated;
- (3) a description of the manner in which the offense was committed, including any pattern of conduct occurring during the course of multiple offenses suspected to have been committed by the suspect; and
- (4) any other information required by the Federal Bureau of Investigation for inclusion in the database.

(d) Information entered into the database under this section is excepted from required disclosure under Chapter [552](#) in the manner provided by Section [552.108](#).

Added by Acts 2019, 86th Leg., R.S., Ch. 297 (H.B. [3106](#)), Sec. 2, eff. September 1, 2019.

Redesignated from Government Code, Section [420.035](#) by Acts 2021, 87th Leg., R.S., Ch. 915 (H.B. [3607](#)), Sec. 21.001(28), eff. September 1, 2021.