

BILL ANALYSIS

Senate Research Center
88R12064 MZM-D

H.B. 3005
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Criminal Justice
5/17/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A pseudonym is a fictitious name or initials used to designate a victim of crime in all public files and records concerning the offense. This allows the victim to shield their identify in records like police summary reports, press releases, and records of judicial proceedings concerning the offense. Currently, victims of trafficking, sexual assault, family violence and stalking are all eligible for a pseudonym under the statute. Access to a pseudonym is especially important in the investigation and prosecution of sex crimes where legitimate privacy interests may otherwise deter a victim from wanting to move forward with a case.

H.B. 3005 expands access to pseudonyms for victims of certain crimes by allowing victims of indecent assault and invasive visual recording to qualify for a pseudonym.

H.B. 3005 amends current law relating to the confidentiality of identifying information of victims of certain offenses.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter D, Chapter 58, Code of Criminal Procedure, to read as follows:

SUBCHAPTER D. CONFIDENTIALITY OF IDENTIFYING INFORMATION OF VICTIMS OF STALKING, INVASIVE VISUAL RECORDING, OR INDECENT ASSAULT

SECTION 2. Amends Article 58.151, Code of Criminal Procedure, as follows:

Art. 58.151. DEFINITION. Provides that "victim," in this subchapter, means a person who is the subject of:

(1) an offense that allegedly constitutes:

(A) creates this paragraph from existing text;

(B) invasive visual recording under Section 21.15 (Invasive Visual Recording), Penal Code; or

(C) indecent assault under Section 22.012 (Indecent Assault), Penal Code;
or

(2) makes a conforming change to this subdivision.

SECTION 3. Effective date: September 1, 2023.