

AN ACT

relating to access to criminal history record information for use in certain research or statistical projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 411.083(b), Government Code, is amended to read as follows:

(b) The department shall grant access to criminal history record information to:

(1) criminal justice agencies;

(2) noncriminal justice agencies authorized by federal statute or executive order or by state statute to receive criminal history record information;

(3) the person who is the subject of the criminal history record information;

(4) a person, including a research organization or public or private institution of higher education, working on a research or statistical project that is related to the administration of criminal justice and approved by the department and that:

(A) is funded in whole or in part by a criminal justice grant or government ~~[state]~~ funds; or

(B) meets the requirements of Part 22, Title 28, Code of Federal Regulations [~~and is approved by the department~~];

(5) an individual or an agency that has a specific

1 agreement with a criminal justice agency to provide services
2 required for the administration of criminal justice under that
3 agreement, if the agreement:

4 (A) specifically authorizes access to
5 information;

6 (B) limits the use of information to the purposes
7 for which it is given;

8 (C) ensures the security and confidentiality of
9 the information;

10 (D) provides for sanctions if a requirement
11 imposed under Paragraph (A), (B), or (C) is violated; and

12 (E) requires the individual or agency to perform
13 the applicable services in a manner prescribed by the department;

14 (6) an individual or an agency that has a specific
15 agreement with a noncriminal justice agency to provide services
16 related to the use of criminal history record information
17 disseminated under this subchapter, if the agreement:

18 (A) specifically authorizes access to
19 information;

20 (B) limits the use of information to the purposes
21 for which it is given;

22 (C) ensures the security and confidentiality of
23 the information;

24 (D) provides for sanctions if a requirement
25 imposed under Paragraph (A), (B), or (C) is violated; and

26 (E) requires the individual or agency to perform
27 the applicable services in a manner prescribed by the department;

1 (7) a county or district clerk's office; and
2 (8) the Office of Court Administration of the Texas
3 Judicial System.

4 SECTION 2. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 1184 was passed by the House on April 28, 2023, by the following vote: Yeas 122, Nays 23, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1184 was passed by the Senate on May 18, 2023, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____

Date

Governor