

By: Rose

H.B. No. 1184

A BILL TO BE ENTITLED

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.