

By: Allen (Senate Sponsor - Deuell) H.B. No. 660
(In the Senate - Received from the House April 7, 2003;
April 9, 2003, read first time and referred to Committee on
Government Organization; April 28, 2003, reported adversely, with
favorable Committee Substitute by the following vote: Yeas 7, Nays
0; April 28, 2003, sent to printer.)

COMMITTEE SUBSTITUTE FOR H.B. No. 660 By: Brimer

A BILL TO BE ENTITLED
AN ACT

relating to access to criminal history record information by
certain licensing and regulatory agencies.

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

SECTION 1. Section 411.122, Government Code, is amended by
amending Subsections (a) and (c) and adding Subsection (d) to read
as follows:

(a) Except as provided by Subsection (c)(2), an agency of
this state listed in Subsection (d) or a political subdivision of
this state covered by Chapter 53, Occupations Code, that licenses
or regulates members of a particular trade, occupation, business,
vocation, or profession is entitled to obtain from the department
criminal history record information maintained by the department
that relates to a person who ~~is~~:

(1) is an applicant for a license from the agency; ~~or~~
(2) is the holder of a license from the agency; or
(3) requests a determination of eligibility for a
license from the agency.

(c) This section does not apply to an agency that is:
(1) specifically authorized by this subchapter to
obtain criminal history record information from the department; or
(2) covered by Section 53.002, Occupations Code, to
the extent provided by that section.

(d) The following state agencies are subject to this
section:

(1) Texas Appraiser Licensing and Certification
Board;

(2) Texas Board of Architectural Examiners;
(3) State Board of Barber Examiners;
(4) Texas Board of Chiropractic Examiners;
(5) Texas Cosmetology Commission;
(6) State Board of Dental Examiners;
(7) Texas Board of Professional Engineers;
(8) Texas Funeral Service Commission;
(9) Texas Board of Professional Geoscientists;

(10) Texas Department of Health, except as provided by
Section 411.110, and agencies attached to the department,
including:

(A) Texas State Board of Examiners of Dietitians;
(B) Texas State Board of Examiners of Marriage
and Family Therapists;

(C) Midwifery Board;
(D) Texas State Board of Examiners of
Perfusionists;

(E) Texas State Board of Examiners of
Professional Counselors;

(F) Texas State Board of Social Worker Examiners;
(G) State Board of Examiners for Speech-Language
Pathology and Audiology;

(H) Advisory Board of Athletic Trainers;
(I) State Committee of Examiners in the Fitting
and Dispensing of Hearing Instruments;

(J) Texas Board of Licensure for Professional
Medical Physicists; and

(K) Texas Board of Orthotics and Prosthetics;

- 2-1 (11) Texas Board of Professional Land Surveying;
- 2-2 (12) Texas Department of Licensing and Regulation,
- 2-3 except as provided by Section 411.093;
- 2-4 (13) Texas Commission on Environmental Quality;
- 2-5 (14) Texas Board of Occupational Therapy Examiners;
- 2-6 (15) Texas Optometry Board;
- 2-7 (16) Texas State Board of Pharmacy;
- 2-8 (17) Texas Board of Physical Therapy Examiners;
- 2-9 (18) Texas State Board of Plumbing Examiners;
- 2-10 (19) Texas State Board of Podiatric Medical Examiners;
- 2-11 (20) Polygraph Examiners Board;
- 2-12 (21) Texas State Board of Examiners of Psychologists;
- 2-13 (22) Texas Real Estate Commission;
- 2-14 (23) Board of Tax Professional Examiners;
- 2-15 (24) Texas Department of Transportation;
- 2-16 (25) State Board of Veterinary Medical Examiners;
- 2-17 (26) Board of Vocational Nurse Examiners;
- 2-18 (27) Texas Department of Housing and Community
- 2-19 Affairs;
- 2-20 (28) secretary of state;
- 2-21 (29) state fire marshal;
- 2-22 (30) Texas Education Agency; and
- 2-23 (31) Department of Agriculture.

2-24 SECTION 2. Section 411.122(b), Government Code, is

2-25 repealed.

2-26 SECTION 3. This Act takes effect September 1, 2003.

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