

1-1 By: Lindsay S.B. No. 1459  
1-2 (In the Senate - Filed March 13, 2003; March 20, 2003, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; May 2, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 May 2, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1459 By: Brimer

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to access to criminal history record information by a  
1-11 county fire marshal.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter F, Chapter 411, Government Code, is  
1-14 amended by adding Section 411.1237 to read as follows:

1-15 Sec. 411.1237. ACCESS TO CRIMINAL HISTORY RECORD  
1-16 INFORMATION: COUNTY FIRE MARSHALS. (a) On request of the  
1-17 department chief or chief executive of a fire department or an  
1-18 emergency medical services provider for an unincorporated area, a  
1-19 county fire marshal is entitled to obtain from the department  
1-20 criminal history record information maintained by the department  
1-21 that relates to:

1-22 (1) an applicant for employment or membership with the  
1-23 requesting department or provider; or

1-24 (2) an employee or member of the requesting department  
1-25 or provider.

1-26 (b) The county fire marshal may disclose criminal history  
1-27 record information obtained under Subsection (a) to the department  
1-28 chief or chief executive of the requesting fire department or  
1-29 emergency medical services provider, except that the county fire  
1-30 marshal may disclose criminal history record information obtained  
1-31 by the department from the Federal Bureau of Investigation only to  
1-32 governmental entities or as authorized by federal law, federal  
1-33 executive order, or federal rule.

1-34 SECTION 2. This Act takes effect September 1, 2003.

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