

BILL ANALYSIS

H.B. 3211
By: Harless
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Harris County Attorneys Office engages in a wide array of criminal justice activities such as removal actions for official misconduct, civil rights investigations, and the expunction of criminal records. Yet, unlike most county attorneys, the office has no specific criminal prosecution jurisdiction under the statute creating the office, Government Code Section 45.201. Consequently, unlike other county attorneys who have both civil and criminal jurisdiction, their authority to access criminal history information is unclear since it may or may not be considered a criminal justice agency.®

H.B. 3211 will ensure the authority of the Harris County Attorneys Office to access criminal history information.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3211 states a county attorney, in a county of 3.3 million or more, is entitled to obtain from the department criminal history record information maintained by the department that relates to a matter falling within the authority of the county attorney as specified by Section 45.201 or a person who is an applicant for employment by the county.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.