

## **BILL ANALYSIS**

S.B. 505  
By: Uresti  
Judiciary  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently the Guardianship Certification Board (board) is not authorized to access Department of Public Safety (DPS) records, which causes a problem in certifying professional guardians.

As proposed, S.B. 505 entitles the board to access DPS records for certain purposes, and requires that the information obtained by the board be destroyed after it is used for the authorized purposes.

### **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**

SECTION 1. Amends Subchapter F, Chapter 411, Government Code, by adding Section 411.1406, as follows:

Sec. 411.1406. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: GUARDIANSHIP CERTIFICATION BOARD. (a) Defines "board."

(b) Entitles the Guardianship Certification Board (board) to obtain from the Department of Public Safety (DPS) criminal history record information (information) maintained by DPS that relates to a person who is an applicant for or the holder of a certificate issued by the board.

(c) Authorizes the information to be used by the board for certain purposes, including the issuance, denial, suspension, revocation, or renewal of a certificate issued by the board. Prohibits the release or disclosure of the information to any person except on court order or with consent of the person who is the subject of the information. Requires the information to be destroyed after it is used for the authorized purposes.

### **EFFECTIVE DATE**

Immediately on receipt of required vote; otherwise September 1, 2007.