

By: Menendez

H.B. No. 3139

A BILL TO BE ENTITLED

AN ACT

1
2 relating to criminal history checks for state employees, applicants
3 for state employment, and certain other persons who may perform
4 work for the state.

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

6 SECTION 1. Subchapter F, Chapter 411, Government Code, is
7 amended by adding Section 411.0845 to read as follows:

8 Sec. 411.0845. SYSTEM TO UPDATE CERTAIN CRIMINAL HISTORY
9 RECORD INFORMATION. (a) The department shall implement a system
10 to provide immediate notice to a state agency entitled to criminal
11 history record information of updates to that information for an
12 employee of that agency.

13 (b) The department shall ensure that the state employee's
14 criminal history record information is made available only to a
15 person entitled to have access to the information under law.

16 SECTION 2. The heading to Section 411.1405, Government
17 Code, is amended to read as follows:

18 Sec. 411.1405. ACCESS TO CRIMINAL HISTORY RECORD
19 INFORMATION: STATE AGENCIES[~~, INFORMATION TECHNOLOGY EMPLOYEES~~].

20 SECTION 3. Section 411.1405(b), Government Code, is amended
21 to read as follows:

22 (b) To the extent consistent with Subsection (e), a state
23 agency is entitled to obtain from the department the criminal
24 history record information maintained by the department that

1 relates to a person who[+]

2 [~~(1)~~] is an employee, applicant for employment,
3 contractor, subcontractor, or intern or other volunteer with the
4 state agency or with a contractor or subcontractor for the state
5 agency[+and

6 [~~(2)~~ has access to information resources or
7 ~~information resources technologies, other than a desktop computer~~
8 ~~or telephone station assigned to that person].~~

9 SECTION 4. Section 411.1405(a)(1), Government Code, is
10 repealed.

11 SECTION 5. The changes in law made by this Act relating to
12 criminal history checks apply only to criminal history checks
13 performed on or after the effective date of this Act.

14 SECTION 6. This Act takes effect September 1, 2007.