

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 17, 2007**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB740** by Whitmire (Relating to personnel records of commissioned officers of the Department of Public Safety.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

This bill would amend the Government Code relating to the personnel records of commissioned officers of the Department of Public Safety.

The bill adds Government Code, Section 411.00755, Personnel Records of Commissioned Officers, which further defines the terms "personnel record" and "disciplinary action". The bill states that the personnel records of a commissioned officer of the Department of Public Safety (DPS) may not be disclosed or made available to the public except for the following information about the officer: name, date of birth, dates of employment, positions held, gross salary, location of duty assignments, DPS decisions on the merits of written complaints, any disciplinary actions by DPS, and documents presented to the DPS commission in a public hearing. DPS may release any personnel record pursuant to a subpoena or court order, for use by the agency in an administrative hearing, or with the written authorization of the officer in the record. The bill states that the release of information does not waive the right to exempt disclosure of personnel information in the future. The bill would take effect on September 1, 2007.

The Department of Public Safety anticipates no fiscal impact to the agency.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, SD, ES, GG, LG