

Amend CSHB 3391 (Committee Printing) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. (a) Subchapter B, Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.1045 to read as follows:

Sec. 12.1045. PILOT PROGRAM FOR FINGERPRINT IDENTIFICATION.

(a) In this section:

(1) "Authorized employee" means a deputy game warden, special game warden, or other law enforcement officer commissioned by the director.

(2) "Pilot program" means the pilot fingerprint identification program established under this section.

(b) The department shall develop and implement a program in one or more counties of this state to pilot the use by authorized employees of a mobile fingerprint identification system to perform fingerprint checks in the field as an aid to the enforcement of this code, any rules adopted under this code, and other laws in the jurisdiction of the department.

(c) In implementing the pilot program, the department shall use a mobile fingerprint scanner developed for law enforcement that is portable, secure, and lightweight, uses encrypted data transmissions for protection of the public, and does not require an employee to carry any equipment other than the scanner to receive the data.

(d) The Department of Public Safety shall work cooperatively with the department as needed and make its existing automated fingerprint identification system available for use by the department during the period of the pilot program.

(e) The department shall comply with all state procurement requirements in implementing the pilot program.

(f) The department may work with and enter into memoranda of understanding with municipalities to implement the pilot program.

(g) Under the pilot program, an authorized employee may not check the fingerprint of a person without the verbal consent of that person.

(h) The department may extend the pilot program to

additional counties if the department determines that the expansion would be cost-effective.

(b) The Parks and Wildlife Department shall begin implementation of the pilot program established under Section 12.1045, Parks and Wildlife Code, as added by this section, not later than January 1, 2010, and shall conduct the pilot program for at least 12 months. Not later than February 1, 2011, the department shall report to the governor, the lieutenant governor, the speaker of the house of representatives, and the Sunset Advisory Commission regarding the pilot program. The report must include the department's recommendations for continuation or expansion of the pilot program and an evaluation of the department's use of the mobile fingerprint identification system, including:

(1) the appropriateness of conducting remote fingerprint checks;

(2) the value of remote fingerprint checking in combating crime and enforcing department rules and other laws of this state;

(3) the impact of using remote fingerprint checks on the efficiency of authorized employees;

(4) the impact of using remote fingerprint checks on the safety of authorized employees; and

(5) any reduction in inconvenience to a person who does not have a required license.