

## **BILL ANALYSIS**

Senate Research Center

H.B. 960  
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Criminal Justice  
5/17/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, license applications for sexually oriented businesses require a criminal background check. According to the Texas Department of Public Safety, the Federal Bureau of Investigation will not grant municipalities or counties the authorization to access nationwide criminal history record information for the purpose of processing these license applications. As a result, if an applicant is convicted of a crime in another state that would prohibit the applicant from obtaining a license for operating a sexually oriented business in Texas, the municipality would not have access to that information.

This bill gives a municipality or county the right to access National Crime Information Center criminal history record information for the purposes of obtaining information regarding persons applying for a license to operate a sexually oriented business in the municipality or county.

H.B. 960 relates to providing municipalities and counties access to criminal history record information for sexually oriented business license applicants.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 411.122, Government Code, by adding Subsection (b), to entitle a municipality or county that requires a sexually oriented business to obtain a license or other permit under Section 243.007 (Licenses or Permits), Local Government Code, to obtain from the Department of Public Safety of the State of Texas (DPS) criminal history record information maintained by DPS that relates to a person who is an applicant for a license or other permit for a sexually oriented business issued by the municipality or county, is the holder of a license or other permit for a sexually oriented business issued by the municipality or county, or requests a determination of eligibility for a license or other permit for a sexually oriented business issued by the municipality or county.

SECTION 2. Effective date: upon passage or September 1, 2009.