

By: Naishtat

H.B. No. 2047

A BILL TO BE ENTITLED

1 AN ACT
2 relating to authorizing a criminal justice agency to disclose
3 certain criminal history record information to the Guardianship
4 Certification Board and offices of the county clerk.

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

6 SECTION 1. Section 411.081(i), Government Code, is amended
7 to read as follows:

8 (i) A criminal justice agency may disclose criminal history
9 record information that is the subject of an order of nondisclosure
10 to the following noncriminal justice agencies or entities only:

- 11 (1) the State Board for Educator Certification;
- 12 (2) a school district, charter school, private school,
13 regional education service center, commercial transportation
14 company, or education shared service arrangement;
- 15 (3) the Texas Medical Board;
- 16 (4) the Texas School for the Blind and Visually
17 Impaired;
- 18 (5) the Board of Law Examiners;
- 19 (6) the State Bar of Texas;
- 20 (7) a district court regarding a petition for name
21 change under Subchapter B, Chapter 45, Family Code;
- 22 (8) the Texas School for the Deaf;
- 23 (9) the Department of Family and Protective Services;
- 24 (10) the Texas Youth Commission;

- 1 (11) the Department of Assistive and Rehabilitative
2 Services;
- 3 (12) the Department of State Health Services, a local
4 mental health service, a local mental retardation authority, or a
5 community center providing services to persons with mental illness
6 or retardation;
- 7 (13) the Texas Private Security Board;
- 8 (14) a municipal or volunteer fire department;
- 9 (15) the Texas Board of Nursing;
- 10 (16) a safe house providing shelter to children in
11 harmful situations;
- 12 (17) a public or nonprofit hospital or hospital
13 district;
- 14 (18) the Texas Juvenile Probation Commission;
- 15 (19) the securities commissioner, the banking
16 commissioner, the savings and mortgage lending commissioner, or the
17 credit union commissioner;
- 18 (20) the Texas State Board of Public Accountancy;
- 19 (21) the Texas Department of Licensing and Regulation;
- 20 (22) the Health and Human Services Commission;
- 21 (23) the Department of Aging and Disability Services;
- 22 [~~and~~]
- 23 (24) the Texas Education Agency;
- 24 (25) the Guardianship Certification Board; and
- 25 (26) a county clerk's office in relation to a
26 proceeding for the appointment of a guardian under Chapter XIII,
27 Texas Probate Code.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2009.