

By: Kleinschmidt

H.B. No. 3323

A BILL TO BE ENTITLED

AN ACT

relating to storage of electronic fingerprint records and access to criminal history record information.

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

SECTION 1. Section 411.0845, Government Code, is amended by adding Subsections (l) and (m) to read as follows:

(l) The department shall maintain the electronic fingerprint record of each person who is the subject of a criminal history record information request. The person who is the subject of a criminal history record information request may authorize the department to forward updated criminal history record information, including information received from the Federal Bureau of Investigation, to a person entitled to such information under this subchapter. After the department receives any fee charged by the department and the Federal Bureau of Investigation for the criminal history record information, the department shall forward the criminal history record information to the authorized person.

(m) Notwithstanding any other law, a state agency may not require an individual to submit a new completed fingerprint card or an electronic fingerprint record to obtain the individual's criminal history record information if the individual has submitted a completed fingerprint card or an electronic fingerprint record to the department not more than two years before the date the state agency requests the individual's criminal history record

1 information from the department.

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