

By: Branch

H.B. No. 4292

A BILL TO BE ENTITLED

AN ACT

relating to access to criminal history record information by the office of the attorney general.

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

SECTION 1. Subchapter F, Chapter 411, Government Code, is amended by adding Section 411.1271 to read as follows:

Sec. 411.1271. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: OFFICE OF THE ATTORNEY GENERAL. (a) The office of the attorney general is entitled to obtain from the Department of Public Safety, the Federal Bureau of Investigation identification division, or another law enforcement agency criminal history record information maintained by the department or agency that relates to a person who is an applicant for a position of employment with the office of the attorney general or an applicant to serve as a consultant, intern, or volunteer for the office.

(b) The office of the attorney general is entitled to obtain from the Department of Public Safety, the Federal Bureau of Investigation identification division, or another law enforcement agency criminal history record information maintained by the department or agency that relates to a person who proposes to enter into a contract with or who has a contract with the office of the attorney general to supply goods or services to the office of the attorney general. The authorization under this subsection to obtain criminal history record information about a person includes

1 information relating to an employee or subcontractor of the person
2 or an employee of the person's subcontractor.

3 (c) Criminal history record information obtained by the
4 office of the attorney general under Subsection (a) or (b) may not
5 be released or disclosed to any person except on court order or with
6 the consent of the person who is the subject of the criminal history
7 record information.

8 (d) The office of the attorney general shall destroy
9 criminal history record information that relates to a person after
10 the information is used for its authorized purpose.

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