

By: Farrar

H.B. No. 4302

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the confidentiality of criminal history record
3 information and related information that is obtained by a school
4 district and that relates to an employee of the district.

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

6 SECTION 1. Subchapter C, Chapter 22, Education Code, is
7 amended by adding Section 22.088 to read as follows:

8 Sec. 22.088. CONFIDENTIALITY OF CRIMINAL HISTORY RECORD
9 INFORMATION AND RELATED INFORMATION. (a) Criminal history record
10 information obtained by a school district under this subchapter or
11 under Section 411.087, 411.0845, or 411.097, Government Code, that
12 relates to an employee of the district is confidential and not
13 subject to disclosure under Chapter 552, Government Code. A book,
14 paper, letter, or document or any other form of media, including
15 data held in computer memory, that is collected, assembled, or
16 maintained by a school district and that either contains or was
17 created from criminal history record information that relates to an
18 employee of the district or that tends to confirm the existence or
19 nonexistence of criminal history record information that relates to
20 the employee is confidential and not subject to disclosure under
21 Chapter 552, Government Code, regardless of whether the medium
22 contains other information, including information that would
23 otherwise be subject to disclosure under Chapter 552, Government
24 Code.

1 (b) A school district may not confirm the existence or
2 nonexistence of criminal history record information that relates to
3 an employee of the district to any person that is not entitled to
4 obtain the criminal history record information from the department
5 or the Federal Bureau of Investigation, as applicable.

6 SECTION 2. This Act takes effect September 1, 2009.