

1-1 By: Huffman S.B. No. 1081
1-2 (In the Senate - Filed February 23, 2009; March 13, 2009,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 25, 2009, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 25, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to access to criminal history record information by the
1-9 office of the attorney general.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter F, Chapter 411, Government Code, is
1-12 amended by adding Section 411.1271 to read as follows:

1-13 Sec. 411.1271. ACCESS TO CRIMINAL HISTORY RECORD
1-14 INFORMATION: OFFICE OF THE ATTORNEY GENERAL. (a) The office of
1-15 the attorney general is entitled to obtain from the Department of
1-16 Public Safety, the Federal Bureau of Investigation identification
1-17 division, or another law enforcement agency criminal history record
1-18 information maintained by the department or agency that relates to
1-19 a person who is an applicant for a position of employment with the
1-20 office of the attorney general or an applicant to serve as a
1-21 consultant, intern, or volunteer for the office.

1-22 (b) The office of the attorney general is entitled to obtain
1-23 from the Department of Public Safety, the Federal Bureau of
1-24 Investigation identification division, or another law enforcement
1-25 agency criminal history record information maintained by the
1-26 department or agency that relates to a person who proposes to enter
1-27 into a contract with or who has a contract with the office of the
1-28 attorney general to supply goods or services to the office of the
1-29 attorney general. The authorization under this subsection to
1-30 obtain criminal history record information about a person includes
1-31 information relating to an employee or subcontractor of the person
1-32 or an employee of the person's subcontractor.

1-33 (c) Criminal history record information obtained by the
1-34 office of the attorney general under Subsection (a) or (b) may not
1-35 be released or disclosed to any person except on court order or with
1-36 the consent of the person who is the subject of the criminal history
1-37 record information.

1-38 (d) The office of the attorney general shall destroy
1-39 criminal history record information that relates to a person after
1-40 the information is used for its authorized purpose.

1-41 SECTION 2. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2009.

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