

BILL ANALYSIS

H.B. 584
By: Kleinschmidt
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current statute establishing the electronic clearinghouse for criminal history record information does not specifically address the sharing of criminal history and fingerprint records between state agencies. Thus, an individual who is required to submit multiple fingerprint cards or electronic records for employment purposes must go through the entire fingerprint process for each entity on his or her employment list.

H.B. 584 attempts to ease the burden for such an individual by providing for the storage of electronic fingerprint records in the criminal history clearinghouse and for certain state agency access to updated criminal history record information maintained by DPS.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 584 amends the Government Code to require the Department of Public Safety (DPS) to maintain the electronic fingerprint record of each person who is the subject of a criminal history record information request. The bill authorizes the person who is the subject of a criminal history record information request to authorize DPS to forward updated criminal history record information, including information received from the Federal Bureau of Investigation (FBI), to a person entitled to such information under state law. The bill requires DPS to forward the criminal history record information to the authorized person after receiving any fee charged by the department and the FBI for the information.

H.B. 584 prohibits a state agency from requiring an individual to submit a completed fingerprint card or an electronic fingerprint record to obtain the individual's criminal history record information if the individual has submitted such a card or record to DPS not more than five years before the date the state agency requests the individual's criminal history record information from DPS.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.