

## **BILL ANALYSIS**

H.B. 2937  
By: Lewis  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the Texas Higher Education Coordinating Board has the authority to conduct secured criminal history background checks relating to persons with access to certain information resources or to information resource technologies employed by the board.

H.B. 2937 proposes to expand the board's authority to conduct secure background checks relating to other employees who have access to sensitive information, such as social security numbers, financial data, and student-specific information, in an effort to protect the confidentiality of that information.

### **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. 2937 amends the Government Code to extend the entitlement of an institution of higher education to obtain from the Department of Public Safety criminal history record information maintained by the department that relates to a person who is an applicant for a security-sensitive position to the Texas Higher Education Coordinating Board. The bill requires all criminal history record information obtained in that manner to be destroyed by the coordinating board or by the chief of police of the institution of higher education, as applicable, as soon as practicable after the individual becomes employed in a security-sensitive position and after the expiration of any probationary term of employment or, if the individual is not hired for a security-sensitive position, after the information is used for its authorized purposes, rather than only after the expiration of the probationary term of the individual's employment. The bill redefines "security-sensitive position" to include an employment position held by an employee who has access to the personal information or identifying information of another person or to the financial information of the employer or another person. The bill makes conforming changes.

### **EFFECTIVE DATE**

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