

## **BILL ANALYSIS**

Senate Research Center

S.B. 682  
By: Huffman  
Criminal Justice  
7/19/2011  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2003, the 78th Legislature authorized appraisal districts to have access to Department of Public Safety of the State of Texas (DPS) criminal history information on applicants for employment with the district, allowing appraisal districts to review an individual's criminal background to ensure that individuals with a serious criminal background were not considered for employment as an Appraisal Review Board (ARB) member.

The 81st Legislature enabled the local administrative judge in Harris County to appoint the members of the ARB for the Harris County Appraisal District. In preparing its review board applicant packets for this year, however, Harris County was unable to obtain the necessary criminal history information on applicants from DPS for the local judge to review. Current statute limits access to this information to the appraisal district itself.

S.B. 682 allows the local administrative district judge, responsible for appointing members to an appraisal review board, to access DPS criminal history information.

S.B. 682 amends current law relating to access to criminal history record information that relates to a person who is an applicant for appointment to an appraisal review board.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 411.1296, Government Code, to read as follows:

Sec. 411.1296. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION:  
EMPLOYMENT BY APPRAISAL DISTRICT AND APPOINTMENT TO  
APPRAISAL REVIEW BOARD.

SECTION 2. Amends Section 411.1296, Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Entitles an appraisal district established by Section 6.01 (Appraisal Districts Established), Tax Code, except as provided by Subsection (b) (relating to an appraisal district not being entitled to obtain under this section certain criminal history record information about the person), to obtain from the Texas Department of Public Safety (DPS) criminal history record information maintained by DPS that relates to a person who is an applicant for employment by the appraisal district or for appointment to the appraisal review board for the appraisal district.

(c) Authorizes the appraisal district, if the members of the appraisal review board of an appraisal district are appointed by the local administrative district judge, to provide criminal history record information obtained under this section to the local administrative district judge or to the appraisal review board commissioners appointed by the local administrative district judge.

SECTION 3. Effective date: upon passage or September 1, 2011.