

By: Martinez

H.B. No. 73

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the dissemination of criminal history record  
3 information to state agencies for employment or contracting  
4 purposes.

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

6 SECTION 1. The heading to Section 411.1405, Government  
7 Code, is amended to read as follows:

8 Sec. 411.1405. ACCESS TO CRIMINAL HISTORY RECORD  
9 INFORMATION: STATE AGENCIES [~~,- INFORMATION TECHNOLOGY EMPLOYEES~~].

10 SECTION 2. Sections 411.1405(a) and (b), Government Code,  
11 are amended to read as follows:

12 (a) In this section, "state agency" [~~+~~  
13 [~~(1) "Information resources" and "information~~  
14 ~~resources technologies" have the meanings assigned by Section~~  
15 ~~2054.003.~~

16 [~~(2) "State agency"~~] means a department, commission,  
17 board, office, council, authority, or other agency in the  
18 executive, legislative, or judicial branch of state government that  
19 is created by the constitution or a statute of this state, including  
20 a university system or institution of higher education as defined  
21 by Section 61.003, Education Code.

22 (b) To the extent consistent with Subsection (e), a state  
23 agency is entitled to obtain from the department the criminal  
24 history record information maintained by the department that

1 relates to a person who[+]

2           [~~(1)~~] is an employee, applicant for employment,  
3 contractor, subcontractor, or intern or other volunteer with the  
4 state agency or with a contractor or subcontractor for the state  
5 agency[+and

6           [~~(2)~~ has access to information resources or  
7 ~~information resources technologies, other than a desktop computer~~  
8 ~~or telephone station assigned to that person].~~

9           SECTION 3. This Act takes effect September 1, 2011.