

By: Deshotel

H.B. No. 1391

A BILL TO BE ENTITLED

AN ACT

1
2 relating to persons authorized to access or use electronically
3 readable information derived from a driver's license, commercial
4 driver's license, or personal identification certificate.

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

6 SECTION 1. Section 521.126(d), Transportation Code, is
7 amended to read as follows:

8 (d) The prohibition provided by Subsection (b) does not
9 apply to a person who accesses, uses, compiles, or maintains a
10 database of the information for a law enforcement or governmental
11 purpose, including:

12 (1) an officer or employee of the department carrying
13 out law enforcement or government purposes;

14 (2) a peace officer, as defined by Article 2.12, Code
15 of Criminal Procedure, acting in the officer's official capacity;

16 (3) a license deputy, as defined by Section 12.702,
17 Parks and Wildlife Code, issuing a license, stamp, tag, permit, or
18 other similar item through use of a point-of-sale system under
19 Section 12.703, Parks and Wildlife Code;

20 (4) a person acting as authorized by Section 109.61,
21 Alcoholic Beverage Code;

22 (5) a person establishing the identity of a voter
23 under Chapter 63, Election Code;

24 (6) a person acting as authorized by Section 161.0825,

1 Health and Safety Code; [~~or~~]

2 (7) a person screening an individual who will work
3 with or have access to children if the person is an employee or an
4 agent of an employee of a public school district or an organization
5 exempt from federal income tax under Section 501(c)(3), Internal
6 Revenue Code of 1986, as amended, that sponsors a program for youth;
7 or

8 (8) a person who possesses a certificate issued by the
9 department under Section 724.016 or who is otherwise authorized to
10 take or analyze a breath specimen under Chapter 724 or other law.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2011.