

BILL ANALYSIS

S.B. 146
By: Williams
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that institutions of higher education in Texas currently lack the ability to screen applicants for on-campus housing based on the applicants' criminal histories, despite the large number of students using on-campus housing and the possibility that some applicants may have serious crimes on their records. According to the parties, the institutions would like the ability to screen this information to ensure student safety.

S.B. 146 seeks to allow an institution of higher education to obtain criminal history record information of a student or applicant for admission who is applying to reside in on-campus housing at that institution.

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

S.B. 146 amends the Government Code to entitle an institution of higher education to obtain from the Department of Public Safety (DPS) criminal history record information maintained by DPS that relates to a student, or to an applicant for admission as a student, who applies to reside in on-campus housing at the institution. The bill limits the use of such criminal history record information by the chief of police of the institution or by the institution's housing office to the purpose of evaluating current students or applicants for enrollment who apply to reside in on-campus housing at the institution. The bill prohibits such criminal history record information received by an institution of higher education from being released or disclosed to any person except on court order or with the consent of the person who is the subject of the information. The bill requires all such criminal history record information obtained about a person to be destroyed by the institution's chief of police or by the institution's housing office, as applicable, as soon as practicable after the beginning of the academic period for which the person's housing application was submitted.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.