

BILL ANALYSIS

Senate Research Center

S.B. 1814
By: Estes
Agriculture, Rural Affairs & Homeland Security
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The members of the five-person Public Safety Commission, which oversees the Department of Public Safety of the State of Texas (DPS), are privy to a great deal of sensitive information, some of which is classified.

DPS works closely with its federal partners to ensure the safety of our state, which sometimes involves the sharing of classified information. Approximately 170 DPS personnel have a security clearance through the United States Department of Homeland Security. It is important that DPS has the ability to keep the Public Safety Commission, its oversight commission, informed without running afoul of the federal restrictions that govern the handling of classified information. There can be severe consequences, including jail time, for the mishandling of classified information.

S.B. 1814 amends current law relating to a requirement that members of the Public Safety Commission hold a secret security clearance.

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 Section 411.003(b), Government Code, to require members of the Public Safety Commission (commission) to have and maintain a secret security clearance granted by the United States government. Authorizes a member to serve on the commission upon the granting of an interim secret security clearance, but prohibits such member from being given access to classified information, participate in a briefing involving classified information, or vote on an issue involving classified information until a secret security clearance has been finally approved by the United States government.

SECTION 2. Provides that the changes in this law made by this Act apply to a member of the commission serving on or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2013.