

BILL ANALYSIS

H.B. 852
By: Sanford
Government Transparency & Operation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the state should solicit recommendations on whether, and under what circumstances, storing biometric identifiers would be a useful practice for state agencies. H.B. 852 seeks to create a joint interim committee to study and report on this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 852 creates a joint interim committee to study and review the methods by which state agencies store biometric identifiers and requires the committee to consider the current level of security for such storage; what changes, if any, should be made to provide the greatest level of security for such storage; and whether additional funds are necessary to increase the level of security for such storage to an acceptable level. The bill establishes that the committee is composed of three state senators appointed by the lieutenant governor and four state representatives appointed by the speaker of the house of representatives. The bill requires the lieutenant governor and speaker of the house to designate a cochair from their respective appointees and requires the committee to convene at least twice at the call of the cochairs. The bill grants to the committee all other powers and duties provided to a special or select committee by the rules of the senate and house of representatives, by the Legislative Reorganization Act of 1961, and by policies of the senate and house committees on administration.

H.B. 852 requires the committee to report, not later than December 1, 2016, the committee's findings and recommendations to the members of the legislature. The bill requires the committee to include in its recommendations specific statutory and rule changes that appear necessary from the results of the study. The bill requires the Texas Legislative Council to provide any necessary staff and resources to the committee. The bill's provisions expire and the committee is abolished on March 1, 2017.

EFFECTIVE DATE

September 1, 2015.