

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 30, 2015

TO: Honorable Gary Elkins, Chair, House Committee on Government Transparency & Operation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2700** by Thompson, Senfronia (Relating to the release of bulk criminal history record information by certain individuals and agencies.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend the Government Code to define a "bulk criminal history information request" and define the process by which responses to these requests would occur. Court clerks or criminal justice agencies receiving a bulk criminal history record information request would be required to provide the requestor with instructions for submitting the bulk criminal history record information request to the Department of Public Safety for felonies and Class A and B offenses. The bill provides an exception that a clerk of a court receiving a bulk criminal history request concerning a felony, Class A, or Class B offense would not necessarily have to direct the requestor to the Department of Public Safety to handle the request. Instead, the clerk could choose to grant the bulk criminal history record request if the court is in a jurisdiction that has adopted rules to ensure the provision of any updates concerning the bulk records to bulk requestors. The clerk would be required to update records that have been released.

Requests that are granted by a court clerk or criminal agency for Class C offenses for which final judgment has been rendered or for offenses that are pending final disposition would be required to maintain certain information regarding the requestor and publish that information on the clerk's or agency's website or to publicly display it within a public area of the clerk's or agency's place of business. Based on the analysis of the Office of Court Administration, Department of Public Safety, Juvenile Justice Department, and Department of Criminal Justice, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

Tarrant County Clerk's Office, Potter County District Clerk's Office, and City of Austin Municipal Court reported that no significant fiscal implication is anticipated.

Cleburne Municipal court indicated that there would be cost to comply with the provisions of the bill.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
Department of Public Safety, 644 Juvenile Justice Department, 696
Department of Criminal Justice

LBB Staff: UP, FR, GDz, KVe, ADe, JN