

## **BILL ANALYSIS**

H.B. 1779  
By: Dale  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that there is a lack of clarity with regard to the authority of the Department of Public Safety (DPS) in running criminal background checks. H.B. 1779 seeks to provide clarity to this issue by revising the group of persons for whom DPS is expressly authorized to obtain and use criminal history record information for purposes of performing certain departmental functions.

### **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. 1779 amends the Government Code to remove an applicant for or holder of a registration issued by the director of the Department of Public Safety (DPS) that authorizes the person to manufacture, distribute, analyze, or conduct research with a controlled substance from the persons for whom DPS may obtain and use criminal history record information maintained by the FBI or by DPS. The bill includes among the persons for whom DPS may obtain and use such information an applicant for or holder of a Capitol access pass; a handgun license or a qualified handgun instructor certification; a license to operate as a dispensing organization for low-THC cannabis under the Texas Compassionate-Use Act; a registration as a director, manager, or employee of such a dispensing organization; or any private security license, registration, or commission issued under the Private Security Act.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.