

BILL ANALYSIS

Senate Research Center
85R10523 JG-F

S.B. 1290
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A 9-1-1 emergency communication district, pursuant to Chapter 772, Health and Safety Code, is responsible for enabling and maintaining the communications network infrastructure that allows persons seeking emergency assistance to connect to a 9-1-1 system. Ultimately, that infrastructure may also be utilized to share critical emergency incident data with first responders. This bill would add Section 411.1297, Government Code, to allow 9-1-1 emergency communication districts to obtain from the Texas Department of Public Safety (DPS) relevant criminal history record information

This bill would add Section 411.1297, Government Code, to allow 9-1-1 emergency communication districts to obtain from the DPS relevant criminal history record information for: (1) an employee of the emergency communication district, (2) an applicant for employment by or an employee of a business or person that contracts with the emergency communication district, (3) a volunteer with the emergency communication district, or (4) an applicant for a volunteer position with the emergency communication district. The bill also includes specific language stating that the criminal history record information may not be released or disclosed to any person except in a criminal proceeding, on court order, or with the consent of the person who is the subject of the criminal history record information.

As proposed, S.B. 1290 amends current law relating to access to criminal history record information by an emergency communication district.

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 Subchapter F, Chapter 411, Government Code, by adding Section 411.1297, as follows:

Sec. 411.1297. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: EMPLOYMENT BY EMERGENCY COMMUNICATION DISTRICT. (a) Provides that an emergency communication district (district) created under Chapter 772 (Local Administration of Emergency Communications), Health and Safety Code, is entitled to obtain from the Texas Department of Public Safety (DPS) criminal history record information maintained by DPS that relates to a person who is an applicant for employment by or an employee of the district, an applicant for a volunteer position or a volunteer with the district, or an applicant for employment by or an employee of a person that contracts with the district.

(b) Prohibits criminal history record information obtained by a district under Subsection (a) from being released or disclosed to any person except in a criminal proceeding, on court order, or with the consent of the person who is the subject of the criminal history record information.

SECTION 2. Effective date: September 1, 2017.