

By: Dale

H.B. No. 1779

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of the Department of Public Safety to  
3 obtain and use criminal history record information for the purpose  
4 of performing certain departmental functions.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 411.0891(a), Government Code, is amended  
7 to read as follows:

8 (a) Subject to Section 411.087, the department is  
9 authorized to obtain and use criminal history record information  
10 maintained by the Federal Bureau of Investigation or the department  
11 that relates to a person who:

12 (1) is an applicant for or holds a Capitol access pass  
13 issued by the department under Section 411.0625;

14 (2) is an applicant for or holds a license to carry a  
15 handgun issued by the department under Subchapter H or is an  
16 applicant for or holds a certification as a qualified handgun  
17 instructor issued by the department under that subchapter;

18 (3) [~~registration issued by the director under~~  
19 ~~Subchapter C, Chapter 481, Health and Safety Code, that authorizes~~  
20 ~~the person to manufacture, distribute, analyze, or conduct research~~  
21 ~~with a controlled substance; (2)] is an applicant for or holds a  
22 chemical precursor transfer permit issued by the director under  
23 Section 481.078, Health and Safety Code;~~

24 (4) [~~(3)~~] is an applicant for or holds a chemical

1 laboratory apparatus transfer permit issued by the director under  
2 Section 481.081, Health and Safety Code;

3 (5) is an applicant for or holds a license to operate  
4 as a dispensing organization issued by the department under Chapter  
5 487, Health and Safety Code, or is an applicant for or holds a  
6 registration as a director, manager, or employee of a dispensing  
7 organization issued by the department under that chapter;

8 (6) is an applicant for or holds any private security  
9 license, registration, or commission issued by the department under  
10 Chapter 1702, Occupations Code;

11 (7) [~~4~~] is an applicant for certification by the  
12 department as an inspection station or an inspector under  
13 Subchapter G, Chapter 548, Transportation Code, holds an inspection  
14 station or inspector certificate issued under that subchapter, or  
15 is the owner of an inspection station operating under that chapter;  
16 or

17 (8) [~~5~~] is an applicant for approval or has been  
18 approved as a program sponsor by the department under Chapter 662,  
19 Transportation Code, is an applicant for certification by the  
20 department as an instructor under that chapter, or holds an  
21 instructor certificate issued under that chapter.

22 SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2017.