

By: Estes

S.B. No. 2058

A BILL TO BE ENTITLED

1 AN ACT

2 relating to criminal history record information obtained by the
3 savings and mortgage lending commissioner.

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

5 SECTION 1. Section 411.1385, Government Code, is amended to
6 read as follows:

7 Sec. 411.1385. ACCESS TO CRIMINAL HISTORY RECORD
8 INFORMATION: SAVINGS AND MORTGAGE LENDING COMMISSIONER. (a) The
9 savings and mortgage lending commissioner is entitled to obtain
10 from the department criminal history record information maintained
11 by the department that relates to a person who is:

12 (1) an applicant for or holder of a license, charter,
13 or other authority granted or issued by the savings and mortgage
14 lending commissioner under:

15 (A) Subtitle B or C, Title 3, Finance Code; or

16 (B) Chapter 156, ~~or~~ 157, 158, or 180, Finance
17 Code;

18 (2) an employee of or volunteer with the Department of
19 Savings and Mortgage Lending;

20 (3) an applicant for employment or an internship with
21 the Department of Savings and Mortgage Lending; or

22 (4) a contractor or subcontractor of the Department of
23 Savings and Mortgage Lending.

24 (b) Except as provided by Subsection (c), the savings and

1 mortgage lending commissioner may not release or disclose criminal
2 history record information obtained under this section unless:

3 (1) the information is obtained from a
4 fingerprint-based search; and

5 (2) the information is released or disclosed:

6 (A) on court order;

7 (B) to the person who is the subject of the
8 criminal history record information; or

9 (C) with the consent of the person who is the
10 subject of the criminal history record information.

11 (c) Criminal history record information obtained by the
12 savings and mortgage lending commissioner under Subsection (a) with
13 respect to the issuance of a license under Chapter 156, Finance
14 Code, may be released or disclosed only as provided by Section
15 156.206, Finance Code.

16 SECTION 2. This Act takes effect September 1, 2017.