

By: Murphy

H.B. No. 3109

A BILL TO BE ENTITLED

AN ACT

relating to certain entities' access to information in criminal justice information databases.

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

SECTION 1. Article 66.201, Code of Criminal Procedure, is amended to read as follows:

Art. 66.201. ACCESS TO DATABASES BY CRIMINAL JUSTICE AGENCIES AND OTHER ENTITIES. (a) The following entities [~~Criminal justice agencies, the Legislative Budget Board, and the council~~] are entitled to access the databases of the Department of Public Safety, the Texas Juvenile Justice Department, and the Texas Department of Criminal Justice in accordance with applicable state or federal law or regulations:

(1) criminal justice agencies;

(2) the Legislative Budget Board;

(3) the council; and

(4) an individual or an agency that has a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice under that agreement, if the agreement:

(A) specifically authorizes access to information;

(B) limits the use of information to the purposes for which it is given;

1                    (C) ensures the security and confidentiality of  
2 the information;

3                    (D) provides for sanctions if a requirement  
4 imposed under Paragraph (A), (B), or (C) is violated; and

5                    (E) requires the individual or agency to perform  
6 the applicable services in a manner prescribed by the Department of  
7 Public Safety.

8            (b) The access granted by this article does not entitle an  
9 entity authorized to access information under Subsection (a) [~~a~~  
10 ~~criminal justice agency, the Legislative Budget Board, or the~~  
11 ~~council~~] to add, delete, or alter data maintained by another entity  
12 [~~agency~~].

13            SECTION 2. Article [66.203](#), Code of Criminal Procedure, is  
14 amended to read as follows:

15            Art. 66.203. PUBLIC DISCLOSURE OF DATA PROHIBITED. An  
16 entity authorized to access information under Article [66.201](#)(a) [~~A~~  
17 ~~criminal justice agency, the council, and the Legislative Budget~~  
18 ~~Board~~] may not disclose to the public information in an  
19 individual's criminal history record if the record is protected by  
20 state or federal law or regulation.

21            SECTION 3. This Act takes effect September 1, 2019.