

AN ACT

relating to contracts for fingerprinting services entered into by the Department of Public Safety of the State of Texas.

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

SECTION 1. Subchapter F, Chapter 411, Government Code, is amended by adding Section 411.0865 to read as follows:

Sec. 411.0865. CONTRACTS FOR FINGERPRINTING SERVICES. (a)

If the department enters into a contract with a vendor to provide fingerprinting services throughout this state for use in accessing criminal history record information, including a contract entered into under Section 2157.068, the department shall:

(1) include in the contract a provision that:

(A) requires notice to the public of a permanent closure of a location accessible to the public that provides fingerprinting services at least 45 days before the date on which the location closes;

(B) requires a mobile unit to provide fingerprinting services in or as near as practicable to the area of a location accessible to the public that permanently closes until a replacement location is opened in that area at full capacity if the closure would cause the vendor to not meet contractual coverage requirements; and

(C) allows the department to contract with a second vendor to provide fingerprinting services or to provide

1 fingerprinting services by other means if the department determines
2 that the original vendor has not fulfilled the contract in a
3 reasonable manner; and

4 (2) annually review and prepare a report on the
5 services provided by the vendor under the contract that includes a
6 determination on the vendor's ability to adequately address the
7 need for fingerprinting services throughout this state based on:

8 (A) the availability of fingerprinting
9 appointments throughout this state, including any wait times for
10 appointments at locations; and

11 (B) a study of the miles required to travel
12 throughout this state in order to receive fingerprinting services
13 and whether there are short-term or chronic gaps in coverage in
14 certain areas of this state.

15 (b) The department shall provide the report prepared under
16 Subsection (a)(2) to the governor and members of the legislature.

17 SECTION 2. The change in law made by this Act applies only
18 to a contract for which the Department of Public Safety of the State
19 of Texas first advertises or otherwise solicits bids, proposals,
20 offers, or qualifications or makes a similar solicitation on or
21 after the effective date of this Act. A contract for which the
22 Department of Public Safety of the State of Texas first advertises
23 or otherwise solicits bids, proposals, offers, or qualifications or
24 makes a similar solicitation before the effective date of this Act
25 is governed by the law in effect on the date the advertisement or
26 solicitation is made, and that law is continued in effect for that
27 purpose.

1 SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 922 passed the Senate on April 21, 2021, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 922 passed the House on May 18, 2021, by the following vote: Yeas 143, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor