

By: Schwertner

S.B. No. 1205

A BILL TO BE ENTITLED

AN ACT

relating to access by a hiring law enforcement agency to an applicant's employment records.

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

SECTION 1. Section 1701.451(a-1), Occupations Code, is amended to read as follows:

(a-1) A law enforcement agency that obtains a consent form described by Subsection (a)(2)(B) shall make an electronic copy of the person's employment records available to a hiring law enforcement agency on request. The commission by rule shall prescribe the manner by which a law enforcement agency shall make a person's employment records electronically available to a hiring law enforcement agency. The rules must provide appropriate privacy and security protections.

SECTION 2. (a) Not later than December 1, 2021, the Texas Commission on Law Enforcement shall adopt rules as necessary to comply with Section 1701.451, Occupations Code, as amended by this Act.

(b) Section 1701.451, Occupations Code, as amended by this Act, applies only to the hiring of a person by a law enforcement agency that occurs on or after December 1, 2021. The hiring of a person by a law enforcement agency that occurs before that date is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that

1 purpose.

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