

BILL ANALYSIS

S.B. 1112
By: Schwertner
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In its 2023 biennial report to the legislature, the Public Utility Commission of Texas (PUC) noted its lack of access to criminal history records and recommended that it be granted this access, citing the importance of the state's electric grid and the safety risks to which it is susceptible. Conducting background checks on personnel with potential access to the grid would help minimize these risks. S.B. 1112 seeks to allow the PUC to obtain criminal history information from the Department of Public Safety and to perform a state and federal criminal history background check on all applicants for employment with the PUC.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1112 amends the Utilities Code to authorize the Public Utility Commission of Texas (PUC) to obtain from the Department of Public Safety (DPS) or a private vendor all criminal history record information relating to a prospective employee before hiring the person as an employee.

S.B. 1112 amends the Government Code to entitle the PUC to obtain from DPS criminal history record information maintained by DPS that relates to a person undergoing a background and criminal history check under the bill's provisions. The bill establishes the following with respect to the obtained information:

- the information is for the exclusive use of the PUC and is privileged and confidential; and
- the information may not be released or disclosed to any person or agency except on court order or with the consent of the person who is the subject of the information.

The bill authorizes the PUC to destroy the obtained information after the information is used for its authorized purpose. These provisions expressly do not prohibit the PUC from obtaining and using criminal history record information as provided by other law.

EFFECTIVE DATE

September 1, 2023.