H.B. No. 1184

AN ACT

relating to access to criminal history record information for use in certain research or statistical projects.

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

SECTION 1.  Section 411.083(b), Government Code, is amended to read as follows:

(b)  The department shall grant access to criminal history record information to:

(1)  criminal justice agencies;

(2)  noncriminal justice agencies authorized by federal statute or executive order or by state statute to receive criminal history record information;

(3)  the person who is the subject of the criminal history record information;

(4)  a person, including a research organization or public or private institution of higher education, working on a research or statistical project that is related to the administration of criminal justice and approved by the department and that:

(A)  is funded in whole or in part by a criminal justice grant or government [~~state~~] funds; or

(B)  meets the requirements of Part 22, Title 28, Code of Federal Regulations[~~, and is approved by the department~~];

(5)  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;

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

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

(E)  requires the individual or agency to perform the applicable services in a manner prescribed by the department;

(6)  an individual or an agency that has a specific agreement with a noncriminal justice agency to provide services related to the use of criminal history record information disseminated under this subchapter, if the agreement:

(A)  specifically authorizes access to information;

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

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

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

(E)  requires the individual or agency to perform the applicable services in a manner prescribed by the department;

(7)  a county or district clerk's office; and

(8)  the Office of Court Administration of the Texas Judicial System.

SECTION 2.  This Act takes effect September 1, 2023.

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    President of the Senate Speaker of the House

I certify that H.B. No. 1184 was passed by the House on April 28, 2023, by the following vote:  Yeas 122, Nays 23, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1184 was passed by the Senate on May 18, 2023, by the following vote:  Yeas 26, Nays 5.

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Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

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                  Governor