

By: Guillen

H.B. No. 2609

A BILL TO BE ENTITLED

AN ACT

relating to access to criminal history record information by the Public Utility Commission 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 411.14031 to read as follows:

Sec. 411.14031. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: PUBLIC UTILITY COMMISSION OF TEXAS. (a) The Public Utility Commission of Texas is entitled to obtain from the department criminal history record information maintained by the department that relates to a person required to undergo a criminal history background check under Section 12.107, Utilities Code.

(b) Criminal history record information obtained under Subsection (a):

(1) is for the exclusive use of the Public Utility Commission of Texas and is privileged and confidential; and

(2) 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.

(c) The Public Utility Commission of Texas may destroy criminal history record information obtained under Subsection (a) after the information is used for the purposes authorized by this section.

(d) This section does not prohibit the Public Utility

1 Commission of Texas from obtaining and using criminal history
2 record information as provided by other law.

3 SECTION 2. Subchapter C, Chapter 12, Utilities Code, is
4 amended by adding Section 12.107 to read as follows:

5 Sec. 12.107. REQUIRED CRIMINAL HISTORY CHECKS FOR
6 EMPLOYEES. (a) The commission shall perform a state and federal
7 criminal history background check on a person who is:

8 (1) an applicant for employment with the agency; or

9 (2) an employee of the agency.

10 (b) The commission shall require a person described by
11 Subsection (a) to submit fingerprints in a form and of a quality
12 acceptable to the Department of Public Safety and the Federal
13 Bureau of Investigation for use in conducting a criminal history
14 background check.

15 (c) The commission shall obtain electronic updates from the
16 Department of Public Safety of arrests and convictions of a person:

17 (1) for whom the commission performs a background
18 check under Subsection (a); and

19 (2) who remains an employee of the commission.

20 SECTION 3. This Act takes effect September 1, 2023.