

BILL ANALYSIS

H.B. 2588
By: Clardy
Energy Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note the need for the Railroad Commission of Texas to be able to conduct criminal background checks on applicants for employment so that the railroad commission can better screen its candidates. H.B. 2588 seeks to address this issue by entitling the railroad commission to obtain certain criminal history record information.

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

H.B. 2588 amends the Government Code to entitle the Railroad Commission of Texas to obtain from the Department of Public Safety (DPS), the Federal Bureau of Investigation Criminal Justice Information Services Division, or another law enforcement agency criminal history record information maintained by DPS, the division, or the agency that relates to a person who is an applicant for employment with, or who is or has been employed by, the railroad commission or who is a consultant, contract employee, independent contractor, intern, or volunteer for the railroad commission or an applicant to serve in one of those positions. The bill restricts use of the criminal history record information to the evaluation of an applicant for employment with, or a current or former employee of, the railroad commission. The bill prohibits the railroad commission from releasing or disclosing the criminal history record information except on court order or with the consent of the person who is the subject of the information. The bill requires the railroad commission to destroy all criminal history record information obtained under the bill's provisions after the expiration of any probationary term of the person's employment or not later than the 180th day after the date of receipt of the information, whichever is later.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.