

## **BILL ANALYSIS**

C.S.H.B. 8  
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Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

State law requires a law enforcement agency seeking to hire a licensed law enforcement officer to first obtain the applicant's previous employment records. In turn, the law requires those law enforcement agencies to make the person's records available to a hiring law enforcement agency on request. However, the law does not specify how employment records are to be made available, resulting in inconsistencies. In some cases, it has been reported that employment records are made available only for in-person viewing, which can provide a barrier to thoroughly vetting a candidate. C.S.H.B. 8 seeks to remedy this by establishing a uniform requirement for these employment records to be made available electronically in a manner prescribed by the Texas Commission on Law Enforcement.

### **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 rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 8 amends the Occupations Code to specify that the manner in which a law enforcement agency is required to make a law enforcement officer's employment records available to another law enforcement agency seeking to hire the officer is by providing an electronic copy of those records. The bill requires the Texas Commission on Law Enforcement, by rule and not later than December 1, 2021, to prescribe the manner in which a law enforcement agency must make a person's employment records electronically available to a hiring law enforcement agency. Those rules must provide appropriate security protections. These provisions apply only to the hiring of a person by a law enforcement agency that occurs on or after December 1, 2021.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 8 differs from the original only by including a Texas Legislative Council draft number in the footer.