

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 2925  
By: Bonnen (Brown)  
Criminal Justice  
5/7/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, state law does not allow a municipal employer to use its own police department to perform a criminal background check on an applicant who is applying for a municipal position. Cities must request this information through the Department of Public Safety (DPS), by mail or by Internet. However, DPS charges a fee for the request and the process of submitting a request and receiving a response by mail may be slow. C.S.H.B. 2925 would entitle a municipality to obtain from the DPS the information by a certain date and provide provisions to pay for the fee.

### **PURPOSE**

As proposed, C.S.H.B. 2925 authorizes a municipality to obtain certain criminal history information.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 411.129(a), Government Code, to require the Department of Public Safety (DPS) to make available through electronic means the information available to municipalities under this section, not later than September 1, 2000.

SECTION 2. Amends Section 411.088, Government Code, by adding Subsection (b), to authorize a the fee a municipality pays under Subsection (a)(1) for an inquiry submitted electronically or by magnetic media to be used to allow DPS to make the information available through electronic means under Section 411.129.

SECTION 3. Emergency clause.  
Effective date: upon passage.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Amends Section 411.129(a), Government Code, to delete language authorizing a municipality to access criminal history information from certain law enforcement agencies of the municipalities. Adds a provision that requires the DPS to make available certain information.

#### SECTION 2.

Adds proposed Section 411.088(b), Government Code, to require certain fees to be used to obtain information under Section 411.129.

Redesignates SECTION 2 as SECTION 3.