

BILL ANALYSIS

Senate Research Center

H.B. 912
By: Thompson (Whitmire)
Criminal Justice
5/3/1999
Engrossed

DIGEST

Domestic relations offices conduct court ordered social studies in adoption and contested child custody cases. The Family Code provides that parties seeking to adopt a child must provide the court with their criminal background history record. Parties involved in child custody litigation are not required to provide criminal history information. H.B. 912 would establish provisions regarding access to criminal history record information by a domestic relations office for a social study or a commissioners court for a county child welfare board member.

PURPOSE

As proposed, H.B. 912 establishes provisions regarding access to criminal history record information by a domestic relations office for a social study or a commissioners court for a county child welfare board member.

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 Chapter 411F, Government Code, by adding Sections 411.1285 and 411.1286, as follows:

Sec. 411.1285. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: DOMESTIC RELATIONS OFFICE. Entitles a domestic relations office (office) to obtain from the Department of Public Safety (DPS) criminal history record information that relates to a person who is a subject of a social study. Requires DPS to provide the office with criminal history record information not later than the 10th day after the date on which the criminal history record information is requested. Prohibits criminal history information from being released or disclosed by an office to a person other than the court ordering social study except on court order or with consent of the person who is subject to the criminal history record information.

Sec. 411.1286. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: COUNTY COMMISSIONERS COURTS; COUNTY CHILD WELFARE BOARD MEMBERS. Entitles the commissioners court of a county to obtain from DPS criminal history record information maintained by DPS that relates to a member of a county child welfare board appointed by the commissioners court.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.