

BILL ANALYSIS

Senate Research Center
83R8801 AJZ-D

H.B. 2648
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a motor vehicle title service company is required to obtain a license from a tax assessor-collector to conduct business in certain Texas counties.

The current licensing process for a motor vehicle title service license applicant allows a county tax assessor-collector to obtain certain information on the applicant, including a criminal background check, to assess the risk of potential title fraud.

Local law enforcement, however, is only authorized to run a county-wide background check on behalf of the county tax assessor-collector, which will not include a conviction for a crime in Texas outside the respective county.

Critics assert that a county tax assessor-collector's office needs access to a comprehensive criminal history record to obtain a more complete picture of an applicant's background and make a fully-informed decision on whether to grant or deny the applicant a license.

H.B. 2648 seeks to entitle a county tax assessor-collector to obtain statewide criminal history record information from the Department of Public Safety of the State of Texas on an individual applying for a motor vehicle title service license.

H.B. 2648 amends current law relating to access to criminal history record information by a county tax assessor-collector.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter F, Chapter 411, Government Code, by adding Section 411.14065, as follows:

Sec. 411.14065. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: COUNTY TAX ASSESSOR-COLLECTOR. Entitles a county tax assessor-collector to obtain from the Department of Public Safety of the State of Texas (DPS) criminal history record information maintained by DPS that relates to a person who is an applicant for a motor vehicle title service license issued under Subchapter E (Motor Vehicle Title Services), Chapter 520 (Miscellaneous Provisions), Transportation Code.

SECTION 2. Effective date: upon passage or September 1, 2013.