

## **BILL ANALYSIS**

Senate Research Center  
84R21528 TSR-D

H.B. 2583  
By: Bell (Kolkhorst)  
Criminal Justice  
5/17/2015  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties note that a county fire marshal is currently entitled to obtain from the Department of Public Safety of the State of Texas the criminal history record of an applicant for employment or membership with or an employee or member of a fire department or emergency services provider for an unincorporated area. The parties note that a fire marshal can obtain this information at a reduced cost or at no cost but that some counties do not have a county fire marshal. The parties explain that it would be beneficial to grant a county sheriff such an entitlement for those purposes. H.B. 2583 seeks to remedy this situation.

H.B. 2583 amends current law relating to access to criminal history record information by a county sheriff.

### **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 Section 411.1237, Government Code, as follows:

Sec. 411.1237. New heading: ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: COUNTY FIRE MARSHALS; COUNTY SHERIFFS. (a) Entitles a county fire marshal or county sheriff, on request of the department chief or chief executive of a fire department or an emergency medical services provider for an unincorporated area, to obtain from the Department of Public Safety of the State of Texas (DPS) criminal history record information maintained by DPS that relates to:

- (1) an applicant for employment or membership with the requesting fire department or emergency medical services provider; or
- (2) an employee or member of the requesting fire department or emergency medical services provider.

(b) Authorizes the county fire marshal or county sheriff to disclose criminal history record information obtained under Subsection (a) to the department chief or chief executive of the requesting fire department or emergency medical services provider, except that the county fire marshal or county sheriff is authorized to disclose criminal history record information obtained by DPS from the Federal Bureau of Investigation only to governmental entities or as authorized by federal law, federal executive order, or federal rule.

SECTION 2. Effective date: September 1, 2015.