

BILL ANALYSIS

Senate Research Center
88R6431 PRL-F

H.B. 1184
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Criminal Justice
5/12/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recidivism is an important performance measure for justice agencies, and critical in evaluating program outcomes. Criminal history data is stored in the National Crime Information Center, controlled by the Department of Homeland Security, and, in Texas, the Texas Crime Information Center (TCIC), owned by the Texas Department of Public Safety.

Currently, only research projects funded by state funds are allowed to access these databases. Many justice agencies fund their research through grants and municipal or county funds and cannot pull bulk data from these databases. This is an especially big problem for Specialty Courts. Specialty Courts have existed in Texas since 1990, and there are now more than 200 statewide. Fundamental to the effective operation of these courts is monitoring and evaluating outcomes. Without the ability to pull these databases, Specialty Courts must go through costly and labor-intensive research running individual criminal histories.

H.B. 1184 aims to allow researchers funded by government funds and approved by the Department of Public Safety of the State of Texas (DPS) to access these databases. Allowing these bulk data pulls will drastically cut back on the person-hours necessary to complete these projects and thus be a more efficient use of government funds.

H.B. 1184 would allow approved researchers receiving any combination of municipal, county, grant, or state funding to access criminal history information in the most efficient manner possible

Key Provisions:

- H.B. 1184 amends the Government Code to revise the requisite conditions that trigger the requirement for DPS to grant access to criminal history record information for use in certain research or statistical projects as follows:
 - Limits the subject matter of the projects for which a person may receive access to the information to projects related to the administration of criminal justice; and
 - Expands the qualifying sources of funding for the project from funding in whole or in part by state funds to funding in whole or in part by a criminal justice grant or by government funds.

H.B. 1184 amends current law relating to access to criminal history record information for use in certain research or statistical projects.

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 411.083(b), Government Code, as follows:

(b) Requires the Department of Public Safety of the State of Texas (DPS) to grant access to criminal history record information to:

(1)-(3) makes no changes to these subdivisions;

(4) a person, including a research organization or public or private institution of higher education, working on a research or statistical project that is related to the administration of criminal justice and approved by DPS and that:

(A) is funded in whole or in part by a criminal justice grant or government funds, rather than by state funds; or

(B) meets the requirements of Part 22, Title 28, Code of Federal Regulations, rather than meets the requirements of Part 22, Title 28, Code of Federal Regulations, and is approved by DPS; and

(5)-(8) makes no changes to these subdivisions.

SECTION 2. Effective date: September 1, 2023.