

## **BILL ANALYSIS**

Senate Research Center  
88R10509 ANG-F

S.B. 1112  
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Business & Commerce  
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As Filed

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

State agencies must have explicit authority from the legislature to conduct background checks on state employees. Currently, the Public Utility Commission of Texas (PUC) does not have this ability. Some PUC personnel have access to critical information related to the Texas electric grid, and a background check is a simple tool to ensure that PUC staff does not immediately present a safety risk. In order to protect Texas' electric grid, S.B. 1112 allows the PUC to conduct background checks on employees. The bill also requires the PUC to conduct background checks on potential employees who will have access to confidential information related to the grid or verify the employee holds an occupational license and passed a background check before the license was issued.

As proposed, S.B. 1112 amends current law relating to access to criminal history record information by the Public Utility Commission of Texas.

### **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 411.14031, as follows:

Sec. 411.14031. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: PUBLIC UTILITY COMMISSION OF TEXAS. (a) Provides that the Public Utility Commission of Texas (PUC) is entitled 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 required to undergo a background and criminal history check under Section 12.107, Utilities Code.

(b) Provides that criminal history record information obtained under Subsection (a):

(1) is for the exclusive use of the PUC and is privileged and confidential; and

(2) is prohibited from being released or disclosed to any person or agency except on court order or with the consent of the person who is the subject of the information.

(c) Authorizes the PUC to destroy criminal history record information obtained under Subsection (a) after the information is used for the purpose authorized by this section.

(d) Provides that this section does not prohibit the PUC from obtaining and using criminal history record information as provided by other law.

SECTION 2. Amends Subchapter C, Chapter 12, Utilities Code, by adding Section 12.107, as follows:

Sec. 12.107. REQUIRED CRIMINAL HISTORY CHECKS FOR CERTAIN EMPLOYEES. Requires the PUC, before hiring an employee for a position whose duties include access to confidential information related to the electric grid, to:

- (1) obtain from DPS or a private vendor all criminal history record information relating to the prospective employee; or
- (2) ascertain that the prospective employee holds in good standing an occupational license issued by a licensing authority in this state that has, before issuing or renewing the license, performed a criminal history background check.

SECTION 3. Effective date: September 1, 2023.