

BILL ANALYSIS

Senate Research Center

H.B. 1062
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State Affairs
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Engrossed

DIGEST

Currently, the Texas State Library and Archives Commission employs staff who have access to state archival records and to the stored confidential records of other state agencies. There is concern that employees of the commission with criminal histories would put the commission at risk. H.B. 1062 would allow the commission authority to obtain criminal history information.

PURPOSE

As proposed, H.B. 1062 outlines provisions regarding access to criminal history record information by the Texas State Library and Archives Commission.

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 Section 411.132, as follows:

Sec. 411.132. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: TEXAS STATE LIBRARY AND ARCHIVES COMMISSION. Defines "commission" and "security-sensitive position." Provides that the Texas State Library and Archives Commission (commission) is entitled to obtain from the Department of Public Safety (department) criminal history record information (information) maintained by the department that relates to a person who is employed or is an applicant for a security-sensitive position. Prohibits information obtained by the commission under Subsection (b) from being released or disclosed to any person except on court order or with the consent of the person who is the subject of the information. Requires the commission to destroy information that relates to a person after the information is used to make an employment decision or to take a personnel action relating to a person who is the subject of the information.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.