

BILL ANALYSIS

Senate Research Center

H.B. 3211
By: Harless (Whitmire)
Criminal Justice
5/13/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Harris County attorney's office (office) engages in a wide array of criminal justice activities such as removal actions for official misconduct, civil rights investigations, and the expunction of criminal records. Yet, unlike most county attorneys, the office has no specific criminal prosecution jurisdiction under the statute creating the office (Section 45.201, Government Code). Consequently, unlike other county attorneys who have both civil and criminal jurisdiction, the office's authority to access criminal history information is unclear since it may or may not be considered a criminal justice agency.®

H.B. 3211 ensures the authority of the Harris County attorney's office to access criminal history information.

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 411.1406, as follows:

Sec. 411.1406. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: COUNTY ATTORNEY IN COUNTY WITH POPULATION OF 3.3 MILLION OR MORE. Entitles a county attorney in a county with a population of 3.3 million or more to obtain from the Department of Public Safety (DPS) certain criminal history record information maintained by DPS.

SECTION 2. Effective date: upon passage or September 1, 2007.