

Amend CSHB 2730 (House Committee Printing) by adding the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumbering subsequent SECTIONS in Article 6 accordingly:

SECTION 6.\_\_\_\_. (a) In this section:

(1) "Authorized employee" means an officer of the Texas Highway Patrol or other law enforcement officer commissioned by the director of the department.

(2) "Department" means the Department of Public Safety.

(3) "Pilot program" means the pilot fingerprint identification program established under this section.

(b) If sufficient funds are available, the department shall develop and implement a program in one or more counties of this state to pilot the use by authorized employees of a mobile fingerprint identification system to perform fingerprint checks in the field as an aid to law enforcement.

(c) In implementing the pilot program, the department shall use a portable, lightweight mobile fingerprint scanner developed for law enforcement that is secure, uses encrypted data transmissions for protection of the public, and does not require the authorized employee to carry additional equipment for the scanner to receive the data. The department shall make its existing automated fingerprint identification system available for use during the period of the pilot program.

(d) The department shall comply with all state procurement requirements in implementing the pilot program.

(e) The department may work with and enter into memorandums of understanding with municipalities to implement the pilot program.

(f) Under the pilot program, an authorized employee may not check the fingerprint of a person without the verbal consent of that person.

(g) The department may extend the pilot program to additional counties if the department determines that the expansion would be cost-effective.

(h) The department shall begin implementation of the pilot program not later than January 1, 2010, and shall conduct the pilot

program for at least 12 months.

(i) Not later than February 1, 2011, the department shall report to the governor, the lieutenant governor, the speaker of the house of representatives, and the Sunset Advisory Commission regarding the pilot program. The report must include the department's recommendations for continuation or expansion of the pilot program and an evaluation of the department's use of the mobile fingerprint identification system, including:

(1) the appropriateness of conducting remote fingerprint checks;

(2) the value of remote fingerprint checking in combating crime and enforcing department rules and other laws of this state;

(3) the impact of using remote fingerprint checks on the efficiency of authorized employees;

(4) the impact of using remote fingerprint checks on the safety of authorized employees; and

(5) any reduction in inconvenience to a person who is not carrying a required license.