

Amend CSHB 2730 (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE _____. CRIMINAL HISTORY RECORD INFORMATION

CONCERNING CERTAIN INTOXICATION OFFENSES

SECTION _____.01. Section 411.135(a), Government Code, is amended to read as follows:

(a) Any person is entitled to obtain from the department:

(1) any information described as public information under Chapter 62, Code of Criminal Procedure, ~~[as added by Chapter 668, Acts of the 75th Legislature, Regular Session, 1997,]~~ including, to the extent available, a recent photograph of each person subject to registration under that chapter; ~~[and]~~

(2) criminal history record information maintained by the department that relates to the conviction of or a grant of deferred adjudication to a person for any criminal offense, including arrest information that relates to the conviction or grant of deferred adjudication; and

(3) any information described as public information under Section 411.1355(a).

SECTION _____.02. Subchapter F, Chapter 411, Government Code, is amended by adding Sections 411.1355 and 411.1356 to read as follows:

Sec. 411.1355. PUBLIC ACCESS TO CRIMINAL HISTORY RECORD INFORMATION CONCERNING CERTAIN INTOXICATION OFFENSES. (a) Criminal history record information that concerns a person's conviction for an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code, is public information if the person has been previously convicted of an offense under one of those sections.

(b) The department shall design and implement an Internet website to allow any person, free of charge, to electronically search for and receive information described by Subsection (a) by entering specific search criteria into the website, including a zip code, city, county, or name of a person. The search results:

(1) must include:

(A) the municipality in which the last known

address of the person convicted is located; and

(B) a recent photograph of the person convicted taken attendant to the person's arrest; and

(2) may not include:

(A) any information regarding the convicted person's social security number, driver's license number, or telephone number;

(B) any information that would identify a victim of the offense; or

(C) any information regarding a person if 15 years have elapsed since the date the person committed the most recent offense for which the person was convicted under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

Sec. 411.1356. CRIMINAL HISTORY RECORD INFORMATION CONCERNING CERTAIN INTOXICATION OFFENSES PROVIDED TO PEACE OFFICER ON REQUEST. The department shall establish a procedure by which a peace officer or employee of a law enforcement agency who provides the department with a driver's license number, personal identification certificate number, or license plate number is automatically provided information as to whether the department has criminal history record information concerning an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code, about the person to whom the driver's license, personal identification certificate, or license plate is issued. The procedure must allow a peace officer to request the information from the location of a motor vehicle stop and to receive a response to the request during the duration of a reasonable motor vehicle stop.

SECTION ____ .03. Not later than May 1, 2010, the Department of Public Safety shall make criminal history record information available to a requesting person as required by Sections 411.1355 and 411.1356, Government Code, as added by this Act.