

## **BILL ANALYSIS**

H.B. 893  
By: Raymond  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties assert that it will take a concerted effort by every citizen to change the behavior that leads to alcohol related car accidents. H.B. 893 seeks to address this issue by making criminal history record information about certain offenses related to driving while intoxicated more readily available.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 893 amends the Government Code to establish as public information the criminal history record information that concerns a person's conviction within the preceding 10-year period for the offenses of driving while intoxicated, driving while intoxicated with a child passenger, intoxication assault, or intoxication manslaughter, with the exception of any information regarding the person's social security number, driver's license or personal identification certificate number, or telephone number and any information that would identify a victim of the offense. The bill requires the Department of Public Safety (DPS) to implement and maintain a website to allow any person, free of charge, to electronically search for and receive such information. The bill requires the website to be searchable by zip code, city, county, or the name of the person convicted and requires the website's search results to include, for each person convicted, the person's full name and last known address and a recent photograph of the person, if a photograph is available to DPS. The bill requires DPS to remove a person's criminal history record information from the website as soon as practicable after the earliest of the 10th anniversary of the date of the conviction, the date on which the conviction is reversed on appeal, or the date on which an order of expunction is entered with respect to records and files in the case.

H.B. 893 requires DPS to establish a procedure by which a peace officer or employee of a law enforcement agency who provides DPS with a driver's license number, personal identification certificate number, or license plate number may be provided any criminal history record information maintained by DPS concerning a conviction of the person to whom the license, certificate, or plate is issued for an intoxication offense to which the bill applies within the preceding 10-year period. The bill requires that the procedure allow a peace officer to request the information from the location of a motor vehicle stop and to receive a response to the request within the duration of a reasonable motor vehicle stop.

H.B. 893 requires DPS to implement the website and to make the applicable criminal history record information available to a requesting person not later than May 1, 2018.

**EFFECTIVE DATE**

September 1, 2017.