

1-1 By: Holland, Longoria (Senate Sponsor - Estes) H.B. No. 2580  
 1-2 (In the Senate - Received from the House May 1, 2017;  
 1-3 May 3, 2017, read first time and referred to Committee on Natural  
 1-4 Resources & Economic Development; May 9, 2017, reported favorably  
 1-5 by the following vote: Yeas 11, Nays 0; May 9, 2017, sent to  
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to criminal history record information obtained by the  
 1-23 savings and mortgage lending commissioner.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 411.1385, Government Code, is amended to  
 1-26 read as follows:

1-27 Sec. 411.1385. ACCESS TO CRIMINAL HISTORY RECORD  
 1-28 INFORMATION: SAVINGS AND MORTGAGE LENDING COMMISSIONER. (a) The  
 1-29 savings and mortgage lending commissioner is entitled to obtain  
 1-30 from the department criminal history record information maintained  
 1-31 by the department that relates to a person who is:

1-32 (1) an applicant for or holder of a license, charter,  
 1-33 or other authority granted or issued by the savings and mortgage  
 1-34 lending commissioner under:

1-35 (A) Subtitle B or C, Title 3, Finance Code; or  
 1-36 (B) Chapter ~~156~~, 157, 158, or 180, Finance  
 1-37 Code;

1-38 (2) an employee of or volunteer with the Department of  
 1-39 Savings and Mortgage Lending;

1-40 (3) an applicant for employment or an internship with  
 1-41 the Department of Savings and Mortgage Lending; or

1-42 (4) a contractor or subcontractor of the Department of  
 1-43 Savings and Mortgage Lending.

1-44 (b) Except as provided by Subsection (c), the savings and  
 1-45 mortgage lending commissioner may not release or disclose criminal  
 1-46 history record information obtained under this section unless:

1-47 (1) the information is obtained from a  
 1-48 fingerprint-based search; and

1-49 (2) the information is released or disclosed:

1-50 (A) on court order;

1-51 (B) to the person who is the subject of the  
 1-52 criminal history record information; or

1-53 (C) with the consent of the person who is the  
 1-54 subject of the criminal history record information.

1-55 (c) Criminal history record information obtained by the  
 1-56 savings and mortgage lending commissioner under Subsection (a) with  
 1-57 respect to the issuance of a license under Chapter 156, Finance  
 1-58 Code, may be released or disclosed only as provided by Section  
 1-59 156.206, Finance Code.

1-60 SECTION 2. This Act takes effect September 1, 2017.

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