

1-1 By: Bettencourt S.B. No. 989
1-2 (In the Senate - Filed January 29, 2025; February 13, 2025,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 3, 2025, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 3, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Flores	X			
1-8 Parker	X			
1-9 Hagenbuch	X			
1-10 Hinojosa of Hidalgo	X			
1-11 Huffman	X			
1-12 King	X			
1-13 Miles	X			
1-14				

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to criminal history record information for certain master,
1-18 magistrate, referee, associate judge, or other court official
1-19 applicants appointed or employed to serve in a state court.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Chapter 54, Government Code, is amended by
1-22 adding Subchapter A to read as follows:

1-23 SUBCHAPTER A. GENERAL PROVISIONS

1-24 Sec. 54.001. CRIMINAL HISTORY RECORD INFORMATION
1-25 REQUIREMENTS FOR APPLICANTS. (a) This section applies to an
1-26 applicant seeking appointment or employment under this chapter in a
1-27 court of this state as a master, magistrate, referee, associate
1-28 judge, or other court official who assesses or determines the
1-29 eligibility or amount of bail for a criminal defendant.

1-30 (b) A court shall require an applicant for a position
1-31 described by Subsection (a) to submit a complete and legible set of
1-32 fingerprints, on a form the Office of Court Administration of the
1-33 Texas Judicial System prescribes, to the court or to the Department
1-34 of Public Safety for the purpose of obtaining criminal history
1-35 record information from the Department of Public Safety and the
1-36 Federal Bureau of Investigation.

1-37 (c) A court may not appoint or employ an applicant for a
1-38 position described by Subsection (a) unless the court conducts a
1-39 criminal history record check of the applicant using information:

1-40 (1) the applicant provides under this section; and
1-41 (2) the Department of Public Safety, the Federal
1-42 Bureau of Investigation, and any other criminal justice agency
1-43 under Subchapter F, Chapter 411, makes available to the court.

1-44 (d) A court may:

1-45 (1) enter into an agreement with the Department of
1-46 Public Safety to administer criminal history record checks required
1-47 under this section; and

1-48 (2) authorize the Department of Public Safety to
1-49 collect from each applicant the costs the department incurs in
1-50 conducting the criminal history record check.

1-51 SECTION 2. Subchapter F, Chapter 411, Government Code, is
1-52 amended by adding Section 411.14085 to read as follows:

1-53 Sec. 411.14085. ACCESS TO CRIMINAL HISTORY RECORD
1-54 INFORMATION: COURTS WITH CRIMINAL JURISDICTION. (a) A district
1-55 court, constitutional county court, statutory county court,
1-56 justice court, or municipal court with jurisdiction over criminal
1-57 cases is entitled to obtain from the department as authorized under
1-58 Section 54.001 criminal history record information the department
1-59 maintains that relates to an applicant for appointment or
1-60 employment as a master, magistrate, referee, associate judge, or
1-61 other court official who assesses or determines the eligibility or

2-1 amount of bail for a criminal defendant for that court.

2-2 (b) Criminal history record information a court obtains
2-3 under Subsection (a) may be used only to evaluate an applicant.

2-4 (c) The court may not release or disclose criminal history
2-5 record information the court obtains under Subsection (a) except
2-6 with the consent of the person who is the subject of the
2-7 information.

2-8 (d) After the expiration of any probationary term of the
2-9 person's appointment or employment, the court shall destroy all
2-10 criminal history record information the court obtains under
2-11 Subsection (a).

2-12 SECTION 3. This Act takes effect September 1, 2025.

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