

CODE OF CRIMINAL PROCEDURE  
TITLE 1. CODE OF CRIMINAL PROCEDURE  
CHAPTER 66. CRIMINAL HISTORY RECORD SYSTEM

SUBCHAPTER A. GENERAL PROVISIONS

Art. 66.001. DEFINITIONS. In this chapter:

(1) "Administration of criminal justice" means the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of an offender. The term includes criminal identification activities and the collection, storage, and dissemination of criminal history record information.

(2) "Computerized criminal history system" means the database containing arrest, disposition, and other criminal history maintained by the Department of Public Safety.

(3) "Corrections tracking system" means the database maintained by the Texas Department of Criminal Justice on all offenders under the department's supervision.

(4) "Council" means the Criminal Justice Policy Council.

(5) "Criminal justice agency" means a federal or state agency that is engaged in the administration of criminal justice under a statute or executive order and allocates a substantial part of the agency's annual budget to the administration of criminal justice.

(6) "Criminal justice information system" means the computerized criminal history system and the corrections tracking system.

(7) "Disposition" means an action that results in the termination, transfer to another jurisdiction, or indeterminate suspension of the prosecution of a criminal charge.

(8) "Electronic means" means the transmission of data between word processors, data processors, or similar automated information equipment over dedicated cables, commercial lines, or other similar methods of transmission.

(9) "Incident number" means the unique number assigned

to a specific person during a specific arrest.

(10) "Offender" means any person who is assigned an incident number.

(11) "Offense code" means the numeric code for each offense category.

(12) "Release" means the termination of jurisdiction over an individual by the criminal justice system.

(13) "State identification number" means the unique number assigned by the Department of Public Safety to each person whose name appears in the criminal justice information system.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

#### SUBCHAPTER B. CRIMINAL JUSTICE INFORMATION SYSTEM

Art. 66.051. PURPOSE AND FUNCTIONS. The criminal justice information system shall be maintained to supply the state with a system:

(1) that provides an accurate criminal history record depository to:

(A) law enforcement officers; and

(B) criminal justice agencies for operational decision making;

(2) from which accurate criminal justice system modeling can be conducted; and

(3) that improves:

(A) the quality of data used to conduct impact analyses of proposed legislative changes in the criminal justice system; and

(B) the ability of interested parties to analyze the functioning of the criminal justice system.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.052. IMPLEMENTATION AND OPERATION OF CRIMINAL JUSTICE INFORMATION SYSTEM. (a) The Department of Public Safety shall designate offense codes and has the sole responsibility for

designating the state identification number for each person whose name appears in the criminal justice information system.

(b) The Department of Public Safety and the Texas Department of Criminal Justice shall implement a system to link the computerized criminal history system and the corrections tracking system.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.053. INFORMATION COLLECTED. For each arrest for a felony or misdemeanor other than a misdemeanor punishable by fine only, the criminal justice information system must include information relating to:

- (1) offenders;
- (2) arrests;
- (3) prosecutions;
- (4) the disposition of cases by courts;
- (5) sentencing; and

(6) the handling of offenders received by a correctional agency, facility, or other institution.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.054. FINGERPRINT AND ARREST INFORMATION IN CRIMINAL JUSTICE INFORMATION SYSTEM. (a) When a jurisdiction transmits fingerprints and arrest information by a remote terminal accessing the statewide automated fingerprint identification system, the Department of Public Safety shall use that transmission to create:

(1) a permanent record in the criminal justice information system; or

(2) a temporary arrest record in the criminal justice information system to be maintained by the department until the department receives and processes the physical copy of the arrest information.

(b) The Department of Public Safety shall make available to a criminal justice agency making a background criminal inquiry any information contained in a temporary arrest record maintained by

the department, including a statement that a physical copy of the arrest information was not available at the time the information was entered in the criminal justice information system.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

#### SUBCHAPTER C. COMPUTERIZED CRIMINAL HISTORY SYSTEM

##### Art. 66.101. COMPUTERIZED CRIMINAL HISTORY SYSTEM DATABASE.

(a) The Department of Public Safety shall record data and maintain the computerized criminal history system that serves as the record creation point for criminal history information maintained by the state.

(b) The computerized criminal history system must contain the information required by this chapter.

(c) The Department of Public Safety shall operate the computerized criminal history system and develop the necessary interfaces in the system to accommodate inquiries from the statewide automated fingerprint identification system implemented by the department.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

##### Art. 66.102. INFORMATION CONTAINED IN COMPUTERIZED CRIMINAL HISTORY SYSTEM. (a) In this article:

(1) "Appeal" means the review of a decision of a lower court by a superior court other than by collateral attack.

(2) "Rejected case" means:

(A) a charge that, after the arrest of the offender, the prosecutor declines to include in an information or present to a grand jury; or

(B) an information or indictment that, after the arrest of the offender, the prosecutor refuses to prosecute.

(b) Information in the computerized criminal history system relating to an offender must include the offender's:

(1) name, including other names by which the offender is known;

(2) date of birth;

(3) physical description, including sex, weight, height, race, ethnicity, eye color, hair color, scars, marks, and tattoos; and

(4) state identification number.

(c) Information in the computerized criminal history system relating to an arrest must include:

(1) the offender's name;

(2) the offender's state identification number;

(3) the arresting law enforcement agency;

(4) the arrest charge, by offense code and incident number;

(5) whether the arrest charge is a misdemeanor or felony;

(6) the date of the arrest;

(7) for an offender released on bail, whether a warrant was issued for any subsequent failure of the offender to appear in court;

(8) the exact disposition of the case by a law enforcement agency following the arrest; and

(9) the date of disposition of the case by the law enforcement agency.

(d) Information in the computerized criminal history system relating to a prosecution must include:

(1) each charged offense, by offense code and incident number;

(2) the level of the offense charged or the degree of the offense charged for each offense in Subdivision (1); and

(3) for a rejected case:

(A) the date of rejection;

(B) the offense code;

(C) the incident number; and

(D) whether the rejection is a result of a successful pretrial diversion program.

(e) Information in the computerized criminal history system relating to the disposition of a case other than a rejected case must include:

(1) the final pleading to each charged offense and the level of the offense;

(2) a listing of each charged offense disposed of by the court and:

(A) the date of disposition;

(B) the offense code for the disposed charge and incident number; and

(C) the type of disposition; and

(3) for a conviction that is appealed, the final court decision and the final disposition of the offender's case on appeal.

(f) Information in the computerized criminal history system relating to sentencing must include for each sentence:

(1) the sentencing date;

(2) the sentence for each offense, by offense code and incident number;

(3) if the offender was sentenced to confinement:

(A) the agency that receives custody of the offender;

(B) the length of the sentence for each offense; and

(C) if multiple sentences were ordered, whether the sentences were ordered to be served consecutively or concurrently;

(4) if the offender was sentenced to pay a fine, the amount of the fine;

(5) if a sentence to pay a fine or to confinement was ordered but was deferred, probated, suspended, or otherwise not imposed:

(A) the length of the sentence or the amount of the fine that was deferred, probated, suspended, or otherwise not imposed; and

(B) the offender's name, offense code, and incident number;

(6) if a sentence other than a fine or confinement was ordered, a description of the sentence ordered; and

(7) whether the judgment imposing the sentence

reflects an affirmative finding entered under Article 42.013 (Finding of Family Violence).

(g) The Department of Public Safety shall maintain in the computerized criminal history system any information the department maintains in the central database under Article 62.005.

(h) In addition to the information described by this article, information in the computerized criminal history system must include the age of the victim of the offense if the offender was arrested for or charged with an offense under the following provisions of the Penal Code:

(1) Section 20.04(a)(4) (Aggravated Kidnapping), if the offender committed the offense with the intent to violate or abuse the victim sexually;

(2) Section 20A.02 (Trafficking of Persons), if the offender:

(A) trafficked a person with the intent or knowledge that the person would engage in sexual conduct, as defined by Section 43.25, Penal Code; or

(B) benefited from participating in a venture that involved a trafficked person engaging in sexual conduct, as defined by Section 43.25, Penal Code;

(3) Section 21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual);

(4) Section 21.11 (Indecency with a Child);

(5) Section 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault);

(6) Section 30.02 (Burglary), if the offense is punishable under Subsection (d) of that section and the offender committed the offense with the intent to commit an offense described by Subdivision (1), (4), or (5);

(7) Section 43.05(a)(2) (Compelling Prostitution); or

(8) Section 43.25 (Sexual Performance by a Child).

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 770 (H.B. 1528), Sec. 4, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 221 (H.B. 375), Sec. 2.14, eff. September 1, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 11 (S.B. 6), Sec. 14, eff. January 1, 2022.

Art. 66.103. DUTIES OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE REGARDING CRIMINAL JUSTICE INFORMATION SYSTEM. Data received by the Texas Department of Criminal Justice that is required by the Department of Public Safety for the preparation of a criminal history record shall be made available to the computerized criminal history system not later than the seventh day after the date on which the Texas Department of Criminal Justice receives the request for the data from the Department of Public Safety.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.104. DUTIES OF LICENSING AGENCIES TO PROVIDE INFORMATION REGARDING LICENSE HOLDERS. (a) The Texas Medical Board, the Texas Department of Licensing and Regulation, only with respect to a person licensed under Chapter 202, Occupations Code, the State Board of Dental Examiners, the Texas State Board of Pharmacy, the Texas Behavioral Health Executive Council, only with respect to a person licensed under Chapter 501, Occupations Code, and the State Board of Veterinary Medical Examiners shall provide to the Department of Public Safety through electronic means, magnetic tape, or disk, as specified by the department, a list of each person licensed by the respective agency, including the person's name and date of birth and any other personal descriptive information required by the department. Each agency shall update the information and submit the updated information quarterly to the department.

(b) The Department of Public Safety shall:

(1) perform at least quarterly a computer match of the licensing list against the convictions maintained in the computerized criminal history system; and

(2) report to the appropriate licensing agency for verification and administrative action, as considered appropriate



by the licensing agency, the name of any person found to have a record of conviction, other than a defendant whose prosecution is deferred during a period of community supervision without an adjudication of guilt or a plea of guilty.

(c) The Department of Public Safety may charge a licensing agency a fee not to exceed the actual direct cost incurred by the department in performing a computer match and reporting to the agency under Subsection (b).

(d) The transmission of information by electronic means under Subsection (a) does not affect whether the information is subject to disclosure under Chapter 552, Government Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 3.001, eff. September 1, 2019.

Art. 66.105. INFORMATION RELATED TO MISUSED IDENTITY.

(a) On receipt of information from a local law enforcement agency under Article 2.28, the Department of Public Safety shall:

(1) provide the notice described by Article 2.28(1) to the person whose identity was misused, if the local law enforcement agency was unable to notify the person under that subdivision;

(2) take action to ensure that the information maintained in the computerized criminal history system reflects the use of the person's identity as a stolen alias; and

(3) notify the Texas Department of Criminal Justice that the person's identifying information may have been falsely used by an inmate in the custody of the Texas Department of Criminal Justice.

(b) On receipt of a declaration under Section 411.0421, Government Code, or on receipt of information similar to that contained in a declaration filed under that section, the Department of Public Safety shall separate information maintained in the computerized criminal history system regarding an individual whose identity has been misused from information maintained in that system regarding the person who misused the identity.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.106. INFORMATION RELATED TO NON-FINGERPRINT SUPPORTED ACTIONS. (a) On receipt of a report of prosecution or court disposition information from a jurisdiction for which corresponding arrest data does not exist in the computerized criminal history system, the Department of Public Safety shall enter the report into a non-fingerprint supported file that is separate from the computerized criminal history system.

(b) The Department of Public Safety shall grant access to records in a non-fingerprint supported file created under Subsection (a) that include the subject's name or other identifier in the same manner as the department is required to grant access to criminal history record information under Subchapter F, Chapter 411, Government Code.

(c) On receipt of a report of arrest information that corresponds to a record in a non-fingerprint supported file created under Subsection (a), the Department of Public Safety shall transfer the record from the non-fingerprint supported file to the computerized criminal history system.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

#### SUBCHAPTER D. CORRECTIONS TRACKING SYSTEM

Art. 66.151. CORRECTIONS TRACKING SYSTEM DATABASE.

(a) The Texas Department of Criminal Justice shall record data and establish and maintain the corrections tracking system.

(b) The corrections tracking system must contain the information required by this chapter.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.152. INFORMATION CONTAINED IN CORRECTIONS TRACKING SYSTEM. (a) Information in the corrections tracking system relating to a sentence to be served under the jurisdiction of the

Texas Department of Criminal Justice must include:

- (1) the offender's name;
- (2) the offender's state identification number;
- (3) the sentencing date;
- (4) the sentence for each offense, by offense code and incident number;
- (5) if the offender was sentenced to imprisonment:
  - (A) the unit of imprisonment;
  - (B) the length of the sentence for each offense;and
  - (C) if multiple sentences were ordered, whether the sentences were ordered to be served consecutively or concurrently; and
- (6) if a sentence other than a fine or imprisonment was ordered, a description of the sentence ordered.

(b) Sentencing information in the corrections tracking system must also include the following information about each community supervision, including deferred adjudication community supervision, or other alternative to imprisonment ordered:

- (1) each conviction for which a sentence was ordered but was deferred, probated, suspended, or otherwise not imposed, by offense code and incident number; and
- (2) if a sentence or portion of a sentence of imprisonment was deferred, probated, suspended, or otherwise not imposed:
  - (A) the offense, the sentence, and the amount of the sentence deferred, probated, suspended, or otherwise not imposed;
  - (B) a statement of whether any return to imprisonment or confinement was a condition of community supervision or an alternative sentence;
  - (C) the community supervision and corrections department exercising jurisdiction over the offender;
  - (D) the date the offender was received by a community supervision and corrections department;
  - (E) any program in which the offender is placed or has previously been placed and the level of supervision on which

the offender is placed while under the jurisdiction of a community supervision and corrections department;

(F) the date a program described by Paragraph (E) begins, the date the program ends, and whether the program was completed successfully;

(G) the date a level of supervision described by Paragraph (E) begins and the date the level of supervision ends;

(H) if the offender's community supervision is revoked:

(i) the reason for the revocation and the date of revocation, by offense code and incident number; and

(ii) other current sentences of community supervision or other alternatives to confinement that have not been revoked, by offense code and incident number; and

(I) the date of the offender's release from the community supervision and corrections department.

(c) Information in the corrections tracking system relating to the handling of offenders must include the following information about each imprisonment, confinement, or execution of an offender:

(1) the date of the imprisonment or confinement;

(2) if the offender was sentenced to death:

(A) the date of execution; and

(B) if the death sentence was commuted, the sentence to which the sentence of death was commuted and the date of commutation;

(3) the date the offender was released from imprisonment or confinement and whether the release was a discharge or a release on parole or to mandatory supervision;

(4) if the offender is released on parole or to mandatory supervision:

(A) the offense for which the offender was convicted, by offense code and incident number;

(B) the date the offender was received by an office of the parole division of the Texas Department of Criminal Justice;

(C) the county in which the offender resides while under supervision;

(D) any program in which the offender is placed or has previously been placed and the level of supervision on which the offender is placed while under the jurisdiction of the parole division;

(E) the date a program described by Paragraph (D) begins, the date the program ends, and whether the program was completed successfully;

(F) the date a level of supervision described by Paragraph (D) begins and the date the level of supervision ends;

(G) if the offender's release status is revoked, the reason for the revocation and the date of revocation;

(H) the expiration date of the sentence; and

(I) the date on which the offender is:

(i) released from the parole division; or

(ii) granted clemency; and

(5) if the offender is released under Article [42A.202\(b\)](#), the date of the offender's release.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. [2931](#)), Sec. 1.03, eff. January 1, 2019.

SUBCHAPTER E. ACCESS TO INFORMATION IN CRIMINAL JUSTICE  
INFORMATION SYSTEM

Art. 66.201. ACCESS TO DATABASES BY CRIMINAL JUSTICE AGENCIES AND OTHER ENTITIES. (a) Criminal justice agencies, the Legislative Budget Board, and the council are entitled to access the databases of the Department of Public Safety, the Texas Juvenile Justice Department, and the Texas Department of Criminal Justice in accordance with applicable state or federal law or regulations.

(b) The access granted by this article does not entitle a criminal justice agency, the Legislative Budget Board, or the council to add, delete, or alter data maintained by another agency. Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. [2931](#)), Sec. 1.03, eff. January 1, 2019.

Art. 66.202. REQUEST FOR DATA FILE FROM DATABASES. (a) The

council or the Legislative Budget Board may submit to the Department of Public Safety, the Texas Juvenile Justice Department, and the Texas Department of Criminal Justice an annual request for a data file containing data elements from the departments' systems.

(b) The Department of Public Safety, the Texas Juvenile Justice Department, and the Texas Department of Criminal Justice shall provide the council and the Legislative Budget Board with the data file for the period requested, in accordance with state and federal law and regulations.

(c) If the council submits a data file request other than the annual data file request, the director of the agency maintaining the requested records must approve the request.

(d) The Legislative Budget Board may submit a data file request other than the annual data file request without the approval of the director of the agency maintaining the requested records.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.203. PUBLIC DISCLOSURE OF DATA PROHIBITED. A criminal justice agency, the council, and the Legislative Budget Board may not disclose to the public information in an individual's criminal history record if the record is protected by state or federal law or regulation.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

#### SUBCHAPTER F. DATA COLLECTION AND SUBMISSION

Art. 66.251. UNIFORM INCIDENT FINGERPRINT CARD. (a) The Department of Public Safety, in consultation with the council, shall design, print, and distribute a uniform incident fingerprint card to each law enforcement agency in this state.

(b) The uniform incident fingerprint card must be:

(1) serially numbered with an incident number in such a manner that the individual incident of arrest may be readily ascertained; and

(2) a multiple-part form that:

(A) has space for information relating to each charge for which a person is arrested, the person's fingerprints, and other information relevant to the arrest;

(B) can be transmitted with the offender through the criminal justice process; and

(C) allows each law enforcement agency to report required data to the Department of Public Safety or the Texas Department of Criminal Justice.

(c) Subject to available telecommunications capacity, the Department of Public Safety shall develop the capability to receive the information on the uniform incident fingerprint card by electronic means from a law enforcement agency. The information must be in a form that is compatible with the form required for data supplied to the criminal justice information system.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.252. REPORTING OF INFORMATION BY LOCAL ENTITIES.

(a) The Department of Public Safety and the Texas Department of Criminal Justice by rule shall develop reporting procedures that:

(1) ensure that the offender processing data is reported from the time an offender is arrested until the time an offender is released; and

(2) provide measures and policies designed to identify and eliminate redundant reporting of information to the criminal justice information system.

(b) The arresting law enforcement agency shall prepare a uniform incident fingerprint card described by Article 66.251 and initiate the reporting process for each offender charged with:

(1) a felony;

(2) a misdemeanor for which a term of confinement may be imposed; or

(3) a misdemeanor punishable by fine only that involves family violence, as defined by Section 71.004, Family Code.

(b-1) At any time before final disposition of the case, the

justice or judge of a court having jurisdiction of the case of a misdemeanor described by Subsection (b)(3) may order a law enforcement officer to use the uniform incident fingerprint card to take the fingerprints of an offender who is charged with the misdemeanor, but was not placed under custodial arrest at the time of the offense.

(c) The clerk of the court exercising jurisdiction over a case shall report the disposition of the case to the Department of Public Safety.

(d) Except as provided by Subsection (e) or as otherwise required by applicable state law or rule, information or data required by this chapter to be reported to the Department of Public Safety or the Texas Department of Criminal Justice shall be reported promptly but not later than the 30th day after the date on which the information or data is received by the agency responsible for reporting it.

(e) An offender's arrest shall be reported to the Department of Public Safety not later than the seventh day after the date of the arrest.

(f) A court that orders the release of an offender under Article [42A.202\(b\)](#) when the offender is under a bench warrant and not physically imprisoned in the Texas Department of Criminal Justice shall report the release to the department not later than the seventh day after the date of the release.

(g) On disposition of a case in which an offender is charged with a misdemeanor described by Subsection (b)(3), the clerk of the court exercising jurisdiction over the case shall report the applicable information regarding the person's citation or arrest and the disposition of the case to the Department of Public Safety using a uniform incident fingerprint card described by Article [66.251](#) or an electronic methodology approved by the Department of Public Safety.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. [2931](#)), Sec. 1.03, eff. January 1, 2019.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 770 (H.B. [1528](#)), Sec. 5, eff. September 1, 2019.



Acts 2021, 87th Leg., R.S., Ch. 934 (H.B. 3774), Sec. 16.02, eff. September 1, 2021.

Art. 66.253. COMPATIBILITY OF DATA. (a) Data supplied to the criminal justice information system must:

- (1) be compatible with the system; and
- (2) contain both incident numbers and state identification numbers.

(b) A discrete submission of information under this chapter must contain, in conjunction with the required information, the person's name and state identification number.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.254. ELECTRONIC REPORTING OF INFORMATION. Whenever possible, information relating to dispositions and subsequent offender processing data shall be reported electronically.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.255. INFORMATION ON SUBSEQUENT ARRESTS. The Department of Public Safety and the Texas Department of Criminal Justice shall develop the capability to send by electronic means information about the subsequent arrest of a person under supervision to:

- (1) the community supervision and corrections department serving the court of original jurisdiction; or
- (2) the district parole office supervising the person.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

#### SUBCHAPTER G. DUTIES OF CRIMINAL JUSTICE AGENCIES AND CERTAIN COURT CLERKS

Art. 66.301. DUTIES OF CRIMINAL JUSTICE AGENCIES. (a) Each criminal justice agency shall:

(1) compile and maintain records needed for reporting data required by the Department of Public Safety and the Texas Department of Criminal Justice;

(2) transmit to the Department of Public Safety and the Texas Department of Criminal Justice, when and in the manner each department directs, all data required by the appropriate department;

(3) give the Department of Public Safety and the Texas Department of Criminal Justice, or the departments' accredited agents, access to the agency for the purpose of inspection to determine the completeness and accuracy of data reported;

(4) cooperate with the Department of Public Safety and the Texas Department of Criminal Justice so that each department may properly and efficiently perform the department's duties under this chapter; and

(5) cooperate with the Department of Public Safety and the Texas Department of Criminal Justice to identify and eliminate redundant reporting of information to the criminal justice information system.

(b) An optical disk or other technology may be used instead of microfilm as a medium to store information if allowed by the applicable state laws or rules relating to the archiving of state agency information.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. [2931](#)), Sec. 1.03, eff. January 1, 2019.

Art. 66.302. PUBLIC DISCLOSURE NOT AUTHORIZED. (a) An individual's identifiable description or a notation of an individual's arrest, detention, indictment, information, or other formal criminal charge and of any disposition of the charge, including sentencing, correctional supervision, and release, that is collected and compiled by the Department of Public Safety or the Texas Department of Criminal Justice from criminal justice agencies and maintained in a central location is not subject to public disclosure except as authorized by federal or state law or regulation.

(b) Subsection (a) does not apply to a document maintained

by a criminal justice agency that is the source of information collected by the Department of Public Safety or the Texas Department of Criminal Justice. Each criminal justice agency shall retain the documents described by this subsection.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.303. PROHIBITED ACTS. An agency official may not intentionally conceal or destroy any record with the intent to violate this subchapter.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.304. APPLICABILITY TO DISTRICT COURT AND COUNTY COURT CLERKS. The duties imposed on a criminal justice agency under this subchapter are also imposed on district court and county court clerks.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

#### SUBCHAPTER H. OVERSIGHT AND REPORTING

Art. 66.351. BIENNIAL PLANS. The Department of Public Safety and the Texas Department of Criminal Justice, with advice from the council and the Department of Information Resources, shall develop biennial plans to:

(1) improve the reporting and accuracy of the criminal justice information system; and

(2) develop and maintain monitoring systems capable of identifying missing information.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.352. EXAMINATION OF RECORDS AND OPERATIONS. (a) At least once during each five-year period, the council shall coordinate an examination of the records and operations of the criminal justice information system to ensure:

(1) the accuracy and completeness of information in the system; and

(2) the promptness of information reporting.

(b) The state auditor or other appropriate entity selected by the council shall conduct the examination under Subsection (a) with the cooperation of the council, the Department of Public Safety, and the Texas Department of Criminal Justice.

(c) The council, the Department of Public Safety, and the Texas Department of Criminal Justice may examine the records of the agencies required to report information to the Department of Public Safety or the Texas Department of Criminal Justice.

(d) The examining entity under Subsection (b) shall submit to the legislature and the council a report that summarizes the findings of each examination and contains recommendations for improving the criminal justice information system.

(e) Not later than the first anniversary of the date the examining entity under Subsection (b) submits a report under Subsection (d), the Department of Public Safety shall report to the Legislative Budget Board, the governor, and the council the department's progress in implementing the examining entity's recommendations, including the reason for not implementing any recommendation.

(f) Each year following the submission of the report described by Subsection (e), the Department of Public Safety shall submit a similar report until each of the examining entity's recommendations is implemented.

(g) Notwithstanding any other provision of this article, work performed under this article by the state auditor is subject to approval by the legislative audit committee for inclusion in the audit plan under Section [321.013\(c\)](#), Government Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. [2931](#)), Sec. 1.03, eff. January 1, 2019.

Art. 66.353. MONITORING AND REPORTING DUTIES OF DEPARTMENT OF PUBLIC SAFETY. (a) The Department of Public Safety shall:

(1) monitor the submission of arrest and disposition information by local jurisdictions;

(2) annually submit to the Legislative Budget Board, the governor, the lieutenant governor, the state auditor, and the standing committees in the senate and house of representatives with primary jurisdiction over criminal justice and the department a report regarding the level of reporting by local jurisdictions;

(3) identify local jurisdictions that do not report arrest or disposition information or that partially report information; and

(4) for use in determining the status of outstanding dispositions, publish monthly on the department's Internet website or in another electronic publication a report listing by local jurisdiction each arrest for which there is no corresponding final court disposition.

(b) The report described by Subsection (a)(2) must contain a disposition completeness percentage for each county in this state. For purposes of this subsection, "disposition completeness percentage" means the percentage of arrest charges a county reports to the Department of Public Safety, to be entered in the computerized criminal history system under this chapter, that were brought against a person in the county and for which a disposition has been subsequently reported and entered in the computerized criminal history system.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. [2931](#)), Sec. 1.03, eff. January 1, 2019.

Art. 66.354. LOCAL DATA ADVISORY BOARDS. (a) The commissioners court of each county may create a local data advisory board to:

(1) analyze the structure of local automated and manual data systems to identify redundant data entry and data storage;

(2) develop recommendations for the commissioners to improve the local data systems;

(3) develop recommendations, when appropriate, for the effective electronic transfer of required data from local agencies to state agencies; and

(4) perform any related duties to be determined by the

commissioners court.

(b) Local officials responsible for collecting, storing, reporting, and using data may be appointed to a local data advisory board.

(c) The council and the Department of Public Safety shall, to the extent that resources allow, provide technical assistance and advice on the request of a local data advisory board.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

#### SUBCHAPTER I. GRANTS

Art. 66.401. GRANTS FOR CRIMINAL JUSTICE PROGRAMS. The council, the Department of Public Safety, the criminal justice division of the governor's office, and the Department of Information Resources cooperatively shall develop and adopt a grant program, to be implemented by the criminal justice division at a time and in a manner determined by the division, to aid local law enforcement agencies, prosecutors, and court personnel in obtaining equipment and training necessary to operate a telecommunications network capable of:

(1) making inquiries to and receiving responses from the statewide automated fingerprint identification system and from the computerized criminal history system; and

(2) transmitting information to those systems.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec. 1.03, eff. January 1, 2019.

Art. 66.402. CERTIFICATION REQUIRED. Before allocating money to a county from any federal or state grant program for the enhancement of criminal justice programs, an agency of the state must certify that, using all or part of the allocated money, the county has taken or will take all action necessary to provide the Department of Public Safety and the Texas Department of Criminal Justice any criminal history records maintained by the county in the manner specified for purposes of those departments.

Added by Acts 2017, 85th Leg., R.S., Ch. 1058 (H.B. 2931), Sec.

1.03, eff. January 1, 2019.