

By: Hunter

H.B. No. 3535

A BILL TO BE ENTITLED

AN ACT

relating to the availability of dates of birth under the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 552, Government Code, is amended by adding Section 552.0223 to read as follows:

Sec. 552.0223. DATES OF BIRTH. Notwithstanding Section 552.101, this chapter does not authorize a governmental body to withhold a date of birth except as:

(1) permitted by the federal privacy requirements adopted under the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191) contained in 45 C.F.R. Part 160 and 45 C.F.R. Part 164; or

(2) otherwise provided by constitutional or statutory law.

SECTION 2. The changes in law made by this Act apply only to a request for information that is received by a governmental body or an officer for public information on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2021.