

By: Burns

H.B. No. 1765

Substitute the following for H.B. No. 1765:

By: Metcalf

C.S.H.B. No. 1765

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the redaction of certain information from a document  
3 posted on the Internet by a county clerk or district clerk on  
4 request of a person to whom the information relates.

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

6 SECTION 1. Section 552.117, Government Code, is amended by  
7 amending Subsection (b) and adding Subsection (b-1) to read as  
8 follows:

9 (b) Except as provided by Subsection (b-1), all ~~[All]~~  
10 documents filed with a county clerk and all documents filed with a  
11 district clerk are exempt from this section.

12 (b-1) A county clerk or district clerk shall on request of a  
13 person to whom this section applies redact information described by  
14 Subsection (a) from the electronic image of a document posted by the  
15 clerk on an Internet website that relates to the person making the  
16 request if the clerk has the ability to electronically redact the  
17 information from the electronic image of the posted document. A  
18 clerk that redacts an electronic image of a posted document under  
19 this subsection shall include on the website a statement advising  
20 members of the public that one or more documents posted on the  
21 website have been redacted as required by state law.

22 SECTION 2. Section 552.1175, Government Code, is amended by  
23 amending Subsection (e) and adding Subsection (e-1) to read as  
24 follows:

1           (e) Except as provided by Subsection (e-1), all [All]  
2 documents filed with a county clerk and all documents filed with a  
3 district clerk are exempt from this section.

4           (e-1) A county clerk or district clerk shall on request of a  
5 person to whom this section applies redact information described by  
6 Subsection (b) from the electronic image of a document posted by the  
7 clerk on an Internet website that relates to the person making the  
8 request if the clerk has the ability to electronically redact the  
9 information from the electronic image of the posted document. A  
10 clerk that redacts an electronic image of a posted document under  
11 this subsection shall include on the website a statement advising  
12 members of the public that one or more documents posted on the  
13 website have been redacted as required by state law.

14           SECTION 3. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2023.