

1-1 By: Kacal (Senate Sponsor - Kolkhorst) H.B. No. 3257
 1-2 (In the Senate - Received from the House May 10, 2023;
 1-3 May 11, 2023, read first time and referred to Committee on Water,
 1-4 Agriculture & Rural Affairs; May 19, 2023, reported favorably by
 1-5 the following vote: Yeas 8, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the confidentiality of certain biosecurity and other
 1-20 sensitive information shared with the Texas Animal Health
 1-21 Commission.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter A, Chapter 161, Agriculture Code, is
 1-24 amended by adding Section 161.009 to read as follows:

1-25 Sec. 161.009. CONFIDENTIALITY OF BIOSECURITY AND OTHER
 1-26 SENSITIVE INFORMATION. (a) Except as provided by Subsections (b)
 1-27 and (c), information held by the commission is confidential and
 1-28 excepted from disclosure under Chapter 552, Government Code, if the
 1-29 information consists of or relates to a biosecurity plan, a secure
 1-30 food supply plan, an emergency preparedness plan, or biosecurity
 1-31 data that was voluntarily provided to the commission by an owner or
 1-32 caretaker of an animal.

1-33 (b) The commission may release information described by
 1-34 Subsection (a) to:

1-35 (1) the attorney general's office, for the purpose of
 1-36 law enforcement;

1-37 (2) the secretary of the United States Department of
 1-38 Agriculture, for the purpose of animal health protection;

1-39 (3) the secretary of the Department of Homeland
 1-40 Security, for the purpose of homeland security;

1-41 (4) the Department of State Health Services, for the
 1-42 purpose of protecting the public health from zoonotic diseases;

1-43 (5) any person, if required by a court order;

1-44 (6) a federal, state, municipal, or county emergency
 1-45 management authority, for the purpose of management or response to
 1-46 natural or man-made disasters; or

1-47 (7) any person the executive director of the
 1-48 commission considers appropriate, if:

1-49 (A) the executive director determines that:

1-50 (i) livestock may be threatened by a
 1-51 disease, agent, or pest; and

1-52 (ii) the release of the information is
 1-53 related to actions the commission may take in performance of its
 1-54 powers and duties; or

1-55 (B) the executive director determines that the
 1-56 release of the information is necessary for emergency management
 1-57 purposes under Chapter 418, Government Code.

1-58 (c) The commission's release of confidential information
 1-59 under Subsection (b):

1-60 (1) does not affect the confidentiality of the
 1-61 information;

2-1 (2) is not an offense under Section [552.352](#),
2-2 Government Code; and
2-3 (3) is not a voluntary disclosure for purposes of
2-4 Section [552.007](#), Government Code.

2-5 SECTION 2. This Act takes effect September 1, 2023.

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