

By: Longoria

H.B. No. 4282

Substitute the following for H.B. No. 4282:

By: Smithee

C.S.H.B. No. 4282

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of certain information maintained by state licensing agencies.

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

SECTION 1. Section 552.1176, Government Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a) Information maintained under Chapter 81 is confidential and may not be disclosed to the public under this chapter if the information:

(1) is a license application; or

(2) [~~that~~] relates to the home address, home telephone number, electronic mail address, social security number, [~~or~~] date of birth, driver's license number, state identification number, passport number, emergency contact information, or payment information of an individual [a person] licensed to practice law in this state [~~that is maintained under Chapter 81 is confidential and may not be disclosed to the public under this chapter if the person to whom the information relates:~~

~~[(1) chooses to restrict public access to the information; and~~

~~[(2) notifies the State Bar of Texas of the person's choice, in writing or electronically, on a form provided by the state bar].~~

1        (d) Subsection (a) does not make confidential or except from  
2 required public disclosure the name, state bar identification  
3 number, membership class, or eligibility to practice law of an  
4 applicant for a license, a license holder, or an individual who  
5 previously held a license.

6        (e) To the extent of any conflict, this section prevails  
7 over another law that authorizes or requires the release of  
8 information maintained by the State Bar of Texas.

9        SECTION 2. Subchapter C, Chapter 552, Government Code, is  
10 amended by adding Section 552.11765 to read as follows:

11        Sec. 552.11765. CONFIDENTIALITY OF CERTAIN INFORMATION  
12 MAINTAINED BY STATE LICENSING AUTHORITY. (a) In this section,  
13 "license" means a license, certificate, registration, permit, or  
14 other authorization that:

15                (1) is issued by a governmental body described by  
16 Section 552.003(1)(A)(i); and

17                (2) an individual must obtain to practice or engage in  
18 a particular business, occupation, or profession.

19        (b) Except as provided by Subsections (c) and (d),  
20 information maintained by a governmental body described by Section  
21 552.003(1)(A)(i) is confidential and excepted from the  
22 requirements of Section 552.021 if the information:

23                (1) is a license application; or

24                (2) relates to the home address, home telephone  
25 number, electronic mail address, social security number, date of  
26 birth, driver's license number, state identification number,  
27 passport number, emergency contact information, or payment

1 information of:

2 (A) an applicant for a license issued by the  
3 governmental body;

4 (B) an individual who holds a license issued by  
5 the governmental body; or

6 (C) an individual who previously held a license  
7 issued by the governmental body.

8 (c) Subsection (b) does not make confidential or except from  
9 required public disclosure the name, license number, or license  
10 status of an applicant for a license, a license holder, or an  
11 individual who previously held a license.

12 (d) For a license issued under Chapter 42, 43, 103, or 161,  
13 Human Resources Code, or Chapter 142, 242, 247, 248A, 250, or 252,  
14 Health and Safety Code, Subsection (b) does not prohibit the  
15 disclosure of:

16 (1) the last four digits of the social security number  
17 of a license holder in connection with a verification of  
18 employability or an employee misconduct registry search provided by  
19 the Health and Human Services Commission;

20 (2) a home address where activity regulated by the  
21 licensing authority occurs; or

22 (3) an e-mail address or phone number associated with  
23 activity regulated by the licensing authority.

24 (e) To the extent of any conflict, this section prevails  
25 over another law that authorizes or requires the release of  
26 information maintained by a governmental body.

27 SECTION 3. Subchapter D, Chapter 507, Occupations Code, is

1 amended by adding Section 507.161 to read as follows:

2 Sec. 507.161. CONFIDENTIALITY OF HOME ADDRESS AND TELEPHONE  
3 NUMBER. Except as provided by Section 507.160(d), the home address  
4 and telephone number of a license holder are confidential and not  
5 subject to disclosure under Chapter 552, Government Code.

6 SECTION 4. Section 552.1176(b), Government Code, is  
7 repealed.

8 SECTION 5. The changes in law made by this Act apply only to  
9 a request for public information received by a governmental body,  
10 including the State Bar of Texas, or an officer for public  
11 information on or after the effective date of this Act.

12 SECTION 6. This Act takes effect September 1, 2023.