

By: Kolkhorst

S.B. No. 811

A BILL TO BE ENTITLED

AN ACT

relating to disclosure of certain information by the Parks and Wildlife Department or the Texas Animal Health Commission.

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

SECTION 1. Subchapter C, Chapter 161, Agriculture Code, is amended by adding Section 161.0542 to read as follows:

Sec. 161.0542. NOTICE OF WILDLIFE DISEASE OUTBREAK.

Notwithstanding any law restricting the disclosure of information by the commission, if the commission becomes aware of a wildlife disease outbreak on a property, the commission shall provide notice of the location and nature of the outbreak to:

(1) each owner of adjacent property; and

(2) the Parks and Wildlife Department.

SECTION 2. Section 11.030(a), Parks and Wildlife Code, is amended to read as follows:

(a) The name and address and a telephone, social security, driver's license, bank account, credit card, or charge card number of a person who purchases customer products, licenses, or services from the department may not be disclosed, sold, rented, or traded except as authorized under this section or Section 12.014, 12.103, or 12.0251.

SECTION 3. Subchapter A, Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.014 to read as follows:

Sec. 12.014. NOTICE OF WILDLIFE DISEASE OUTBREAK.

1 Notwithstanding any law restricting the disclosure of information  
2 by the department, if the department becomes aware of a wildlife  
3 disease outbreak on a property, the department shall provide notice  
4 of the location and nature of the outbreak to:

5 (1) each owner of adjacent property; and

6 (2) the Texas Animal Health Commission.

7 SECTION 4. Section 12.0251(b), Parks and Wildlife Code, is  
8 amended to read as follows:

9 (b) The commission or the department may disclose  
10 information described by this section only to:

11 (1) the landowner;

12 (2) another person if ~~unless~~

13 ~~[(1)]~~ the landowner consents to full or specified  
14 partial disclosure of information~~+~~ and

15 ~~[(2)]~~ the consent is in writing and is attached to the  
16 plan or recommendation report; or

17 (3) the Texas Animal Health Commission as needed to  
18 carry out a governmental purpose.

19 SECTION 5. Section 12.103, Parks and Wildlife Code, is  
20 amended by amending Subsections (b) and (c) and adding Subsection  
21 (d-1) to read as follows:

22 (b) Except as provided by Subsection (d) or (d-1), the  
23 department may use information collected by an employee of the  
24 department on privately owned land only for the purposes of  
25 scientific investigations and research described in Subsection (a)  
26 and only if authorized in writing by the landowner or the  
27 landowner's agent. Unless the department first obtains the written

1 consent of the landowner or the landowner's agent, the department  
2 may not:

3 (1) use other incidental information obtained on the  
4 land that does not pertain directly to the investigation or  
5 research authorized under Subsection (a); or

6 (2) enter or permit the entry of any information that  
7 does not pertain directly to the investigation or research  
8 authorized under Subsection (a), into a database:

9 (A) maintained by the department and available to  
10 a person other than a department employee;

11 (B) maintained by a natural heritage program  
12 administered by the department; or

13 (C) established and maintained by any other  
14 person.

15 (c) Except as provided by Subsection (d) or (d-1),  
16 information collected under this section may only be reported or  
17 compiled in a manner that prevents the identification of an  
18 individual parcel or specific parcels of private property without  
19 the written consent of the landowner or the landowner's agent.

20 (d-1) The department may disclose information collected  
21 under this section to the Texas Animal Health Commission as needed  
22 to carry out a governmental purpose.

23 SECTION 6. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2023.