

By: Creighton

S.B. No. 2422

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of certain records containing applicant or student information that are held by the Texas Higher Education Coordinating Board.

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

SECTION 1. The heading to Section 61.031, Education Code, is amended to read as follows:

Sec. 61.031. PUBLIC [~~INTEREST~~] INFORMATION AND COMPLAINTS.

SECTION 2. Section 61.031, Education Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding any other provision of law, information that relates to a current, former, or prospective applicant or student of an educational institution and that is obtained, received, or held by the board for the purpose of providing assistance with access to postsecondary education shall be considered confidential and excepted from disclosure under Chapter 552, Government Code, and may only be released in conformity with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g). The board may withhold information prohibited from being disclosed under this subsection without requesting a decision from the attorney general under Subchapter G, Chapter 552, Government Code.

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

S.B. No. 2422

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, 2023.