

By: Lopez of Bexar

H.B. No. 4711

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of information used to prevent, detect, respond to, or investigate a hostile act of a foreign adversary of the United States.

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

SECTION 1. Section 418.176(a), Government Code, is amended to read as follows:

(a) Information is confidential if the information is collected, assembled, or maintained by or for a governmental entity for the purpose of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity or a hostile act by a foreign adversary of the United States and:

(1) relates to the staffing requirements of an emergency response provider, including a law enforcement agency, a fire-fighting agency, or an emergency services agency;

(2) relates to a tactical plan of the provider; or

(3) consists of a list or compilation of pager or telephone numbers, including mobile and cellular telephone numbers, of the provider.

SECTION 2. Section 418.177, Government Code, is amended to read as follows:

Sec. 418.177. CONFIDENTIALITY OF CERTAIN INFORMATION RELATING TO RISK OR VULNERABILITY ASSESSMENT. Information is confidential if the information:

1 (1) is collected, assembled, or maintained by or for a
2 governmental entity for the purpose of preventing, detecting, or
3 investigating an act of terrorism or related criminal activity or a
4 hostile act by a foreign adversary of the United States; and

5 (2) relates to an assessment by or for a governmental
6 entity, or an assessment that is maintained by a governmental
7 entity, of the risk or vulnerability of persons or property,
8 including critical infrastructure, to an act of terrorism or
9 related criminal activity.

10 SECTION 3. Section 418.179(a), Government Code, is amended
11 to read as follows:

12 (a) Information is confidential if the information:

13 (1) is collected, assembled, or maintained by or for a
14 governmental entity for the purpose of preventing, detecting, or
15 investigating an act of terrorism or related criminal activity or a
16 hostile act by a foreign adversary of the United States; and

17 (2) relates to the details of the encryption codes or
18 security keys for a public communications system.

19 SECTION 4. Section 418.180, Government Code, is amended to
20 read as follows:

21 Sec. 418.180. CONFIDENTIALITY OF CERTAIN INFORMATION
22 PREPARED FOR UNITED STATES. Information, other than financial
23 information, in the possession of a governmental entity is
24 confidential if the information:

25 (1) is part of a report to an agency of the United
26 States;

27 (2) relates to an act of terrorism or related criminal

1 activity or a hostile act by a foreign adversary of the United
2 States; and

3 (3) is specifically required to be kept confidential:

4 (A) under Section 552.101 because of a federal
5 statute or regulation;

6 (B) to participate in a state-federal
7 information sharing agreement; or

8 (C) to obtain federal funding.

9 SECTION 5. Section 418.181, Government Code, is amended to
10 read as follows:

11 Sec. 418.181. CONFIDENTIALITY OF CERTAIN INFORMATION
12 RELATING TO CRITICAL INFRASTRUCTURE. Those documents or portions
13 of documents in the possession of a governmental entity are
14 confidential if they identify the technical details of particular
15 vulnerabilities of critical infrastructure to an act of terrorism
16 or a hostile act by a foreign adversary of the United States.

17 SECTION 6. Section 418.182(a), Government Code, is amended
18 to read as follows:

19 (a) Except as provided by Subsections (b) and (c),
20 information, including access codes and passwords, in the
21 possession of a governmental entity is confidential if the
22 information ~~[that]~~ relates to the specifications, operating
23 procedures, or location of a security system used to protect public
24 or private property from an act of terrorism or related criminal
25 activity or a hostile act by a foreign adversary of the United
26 States ~~[is confidential]~~.

27 SECTION 7. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2025.