

BILL ANALYSIS

C.S.H.B. 863
By: Kolkhorst
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the addresses, home telephone numbers, social security numbers and personal family information of current employees of the Texas Department of Criminal Justice (TDCJ) are protected from disclosure. Former employees of TDCJ (and/or its predecessor in function) need to have the same information protected from disclosure from inmates they have interacted with on a daily basis. Without a change in the law, inmates can access this information and use it to threaten the former employees. The purpose of C.S.H.B. 863 is to give former employees protection from disclosure of sensitive personnel information that is similar to the protection that is now provided to current employees.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 863 amends Section 552.117 of the Government Code to extend the exception from disclosure of the home address, home telephone number, social security number, or any information revealing whether the person has family members to former employees of the Texas Department of Criminal Justice, or of the predecessor in function of the department or any division of the department.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003. The change in law made by this Act to Section 552.117, Government Code, applies to information about former employees of the TDCJ or of the predecessor in function of the department or any of the department's divisions without regard to whether the information was created or acquired on, before, or after the effective date of the Act.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill amended Section 552.1175 of the Government Code to make confidential information relating to the home address, home telephone number, social security number, or any information revealing whether the person has family members, of former employees of TDCJ or of the predecessor in function of the department or any division of the department. The substitute does not amend Section 552.1175.

The substitute adds language which provides that certain information relating to a current or former employee of TDCJ or of its predecessor in function or any of its divisions is excepted from the requirements of Section 552.021, Government Code, regardless of whether the person complies with Section 552.024, Government Code.

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