

BILL ANALYSIS

H.B. 1027
By: Hupp
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In a case where there is no prevailing public interest in releasing identifying information regarding a victim of a violent crime, workplace privacy and security should prevail. The National Center for Victims of Crime has warned that media exposure can often make crime victims feel further violated and disoriented. The purpose of House Bill 1027 is to protect the right to privacy of public employees that have been victims of violent crime.

RULEMAKING AUTHORITY

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

ANALYSIS

House Bill 1027 amends Section 552.132 of the Government Code to authorize an employee of a governmental body who is also a crime victim under Subchapter B, Chapter 56, Code of Criminal Procedure, regardless of whether the employee has filed an application for compensation under that subchapter, to elect whether to allow public access to information held by the attorney general's office or other governmental body which would identify or tend to identify the crime victim, including a photograph or other visual representation of the victim. The bill provides that this election must be made in writing on a form developed by the governmental body, be signed by the employee, and must be filed with the governmental body before the third anniversary of the latest to occur of one of the following: (1) the date of the crime, (2) the date employment begins, or (3) the date the governmental body develops the form and provides it to its employees. The bill provides that if the employee fails to make an election, the identifying information is excepted from disclosure until the third anniversary of the date the crime was committed. The bill also provides in the case of disability, impairment, or other incapacity of the employee, the election may be made by the guardian of the employee or former employee.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect on the 91st day after the last day of the legislative session.

BILL ANALYSIS

H.B. 1027
By: Hupp
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In a case where there is no prevailing public interest in releasing identifying information regarding a victim of a violent crime, workplace privacy and security should prevail. The National Center for Victims of Crime has warned that media exposure can often make crime victims feel further violated and disoriented. The purpose of House Bill 1027 is to protect the right to privacy of public employees that have been victims of violent crime.

RULEMAKING AUTHORITY

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

ANALYSIS

House Bill 1027 amends Section 552.132 of the Government Code to authorize an employee of a governmental body who is also a crime victim under Subchapter B, Chapter 56, Code of Criminal Procedure, regardless of whether the employee has filed an application for compensation under that subchapter, to elect whether to allow public access to information held by the attorney general's office or other governmental body which would identify or tend to identify the crime victim, including a photograph or other visual representation of the victim. The bill provides that this election must be made in writing on a form developed by the governmental body, be signed by the employee, and must be filed with the governmental body before the third anniversary of the latest to occur of one of the following: (1) the date of the crime, (2) the date employment begins, or (3) the date the governmental body develops the form and provides it to its employees. The bill provides that if the employee fails to make an election, the identifying information is excepted from disclosure until the third anniversary of the date the crime was committed. The bill also provides in the case of disability, impairment, or other incapacity of the employee, the election may be made by the guardian of the employee or former employee.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect on the 91st day after the last day of the legislative session.