

BILL ANALYSIS

Senate Research Center

H.B. 1452
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Natural Resources
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Engrossed

DIGEST AND PURPOSE

Currently, under Texas' open records law, information is public if a governmental body maintains the records. Thus, for example, any person or group could obtain personal information regarding any holder of a private pesticide applicator license. H.B. 1452 prohibits a governmental entity from disclosing personal information relating to certain persons who hold a private pesticide applicator license.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 76, Agriculture Code, by adding Section 76.119, as follows:

Sec. 76.119. DISCLOSURE OF INFORMATION RELATING TO PRIVATE PESTICIDE APPLICATOR LICENSE HOLDERS. (a) Defines "predator control device."

(b) Prohibits a governmental entity in this state from disclosing certain information regarding a person who holds a private pesticide applicator license under this subchapter and who is authorized to use a predator control device if disclosure of the information would reveal that the person is authorized to use a predator control device, has used a predator control device, or has the intent to use a predator control device.

(c) Authorizes a governmental entity to disclose to certain persons and entities certain information regarding a person who holds a private pesticide applicator license issued under this subchapter, who is authorized to use a predator control device, and who either has used a predator control device or has the intent to use a predator control device.

(d) Provides that a governmental entity and the officers and employees of the governmental entity are immune from civil or criminal liability for an unintentional violation of this section.

SECTION 2. Effective date: September 1, 2003.