

## **BILL ANALYSIS**

H.B. 2032  
By: Hochberg  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In the 77th session of the Texas Legislature, House Bill 2589 was passed protecting the confidentiality of e-mail addresses used in electronic communications with government agencies. The language in that legislation has been read by some agencies, specifically the Office of the Attorney General, to be more restrictive than intended, preventing agencies from releasing e-mail addresses on public documents or when sharing information among themselves. The purpose of House Bill 2032 is to clarify those issues.

### **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, agency, or institution.

### **ANALYSIS**

House Bill 2032 amends Section 552.137 of the Government Code to clarify that e-mail addresses are not confidential if they are:

- provided to a governmental body by a person who has a contractual relationship with the governmental body or by the contractor's agent;
- provided to a governmental body by a vendor who seeks to contract with the governmental body or by the vendor's agent;
- contained in a response to a request for bids or proposals or similar invitations soliciting offers or information relating to a potential contract, or provided to a governmental body in the course of negotiating the terms of the contract or potential contract; or
- provided to a governmental body on a letterhead, coversheet, printed document, or other document made available to the public.

House Bill 2032 also clarifies that a governmental body is not prevented from disclosing an e-mail address for any reason to another governmental body or to a federal agency.

### **EFFECTIVE DATE**

September 1, 2003.

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