

BILL ANALYSIS

S.B. 1388
By: Armbrister
State Affairs
Committee Report (Unamended)

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 former employees. The purpose of Senate Bill 1388 is to provide that under certain circumstances, former employees will be given 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 grant any additional rulemaking authority to a state officer, department, institution, or agency.

ANALYSIS

Senate Bill 1388 amends Section 552.117, Government Code, to extend the exception from public 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 (TDCJ), or of the predecessor in function of the department or any division of the department.

The bill also amends Section 552.1175, Government Code, to provide that the same information as described above is confidential if the individual to whom the information relates:

- chooses to restrict public access to the information, and
- notifies the governmental body of the individual's choice on a form provided by the governmental body, accompanied by the individual's status.

The bill provides that the exception from public disclosure under Section 552.117 and the confidentiality provisions of Section 552.1175 do not extend to documents filed with a county clerk and documents filed with a district clerk.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003. The change in law made by this Act to Sections 552.117 and 552.1175, 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.