

By: Hupp

H.B. No. 220

Substitute the following for H.B. No. 220:

By: Keel

C.S.H.B. No. 220

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the confidentiality of certain records maintained by  
3 the Department of Public Safety regarding persons licensed to carry  
4 a concealed handgun.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 411.192, Government Code, is amended to  
7 read as follows:

8 Sec. 411.192. CONFIDENTIALITY OF RECORDS. (a) The  
9 department shall disclose to a criminal justice agency information  
10 contained in its files and records regarding whether a named  
11 individual or any individual named in a specified list is licensed  
12 under this subchapter. [~~The department shall, on written request  
13 and payment of a reasonable fee to cover costs of copying, disclose  
14 to any other individual whether a named individual or any  
15 individual whose full name is listed on a specified written list is  
16 licensed under this subchapter.~~] Information on an individual  
17 subject to disclosure to a criminal justice agency under this  
18 section includes the individual's name, date of birth, gender,  
19 race, and zip code. Except as otherwise provided by this section  
20 and by Section 411.193, all other records maintained under this  
21 subchapter are confidential and are not subject to mandatory  
22 disclosure under the open records law, Chapter 552.

23 (b) An [~~except that the~~] applicant or license holder may  
24 be furnished a copy of disclosable records regarding the applicant

1 or license holder on request and the payment of a reasonable fee.

2       (c) The department shall notify a license holder of any  
3 request that is made for information relating to the license holder  
4 under this section and provide the name of the person or agency  
5 making the request.

6       (d) This section does not prohibit the department from  
7 making public and distributing to the public at no cost lists of  
8 individuals who are certified as qualified handgun instructors by  
9 the department.

10       SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2003.