

By: Kolkhorst

H.B. No. 863

Substitute the following for H.B. No. 863:

By: Elkins

C.S.H.B. No. 863

A BILL TO BE ENTITLED

AN ACT

relating to access to certain information about former employees of the Texas Department of Criminal Justice under the public information law.

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

SECTION 1. Section 552.117, Government Code, is amended to read as follows:

Sec. 552.117. EXCEPTION: CERTAIN ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION. Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, or social security number of the following person or that reveals whether the person has family members:

(1) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024;

(2) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under Section 51.212, Education Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;

(3) a current or former [an] employee of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department, regardless of whether the current or former employee complies with Section 552.024 or 552.1175, as applicable;

1 (4) a peace officer as defined by Article 2.12, Code of
2 Criminal Procedure, or other law, a reserve law enforcement
3 officer, a commissioned deputy game warden, or a corrections
4 officer in a municipal, county, or state penal institution in this
5 state who was killed in the line of duty, regardless of whether the
6 deceased complied with Section 552.024 or 552.1175; or

7 (5) a commissioned security officer as defined by
8 Section 1702.002, Occupations Code, regardless of whether the
9 officer complies with Section 552.024 or 552.1175, as applicable.

10 SECTION 2. The change in law made by this Act to Section
11 552.117, Government Code, applies to information about former
12 employees of the Texas Department of Criminal Justice or of the
13 predecessor in function of the department or any of the
14 department's divisions without regard to whether the information
15 was created or acquired on, before, or after the effective date of
16 this Act.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2003.