

By: Kolkhorst

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 552.1175;

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. Section 552.1175(a), Government Code, is amended  
11 to read as follows:

12           (a) This section applies only to:

13               (1) peace officers as defined by Article 2.12, Code of  
14 Criminal Procedure;

15               (2) county jailers as defined by Section 1701.001,  
16 Occupations Code;

17               (3) current or former employees of the Texas  
18 Department of Criminal Justice or of the predecessor in function of  
19 the department or any division of the department; and

20               (4) commissioned security officers as defined by  
21 Section 1702.002, Occupations Code.

22          SECTION 3. The change in law made by this Act to Sections  
23 552.117 and 552.1175, Government Code, applies to information about  
24 former employees of the Texas Department of Criminal Justice or of  
25 the predecessor in function of the department or any of the  
26 department's divisions without regard to whether the information  
27 was created or acquired on, before, or after the effective date of

1    this Act.

2           SECTION 4.   This Act takes effect immediately if it receives  
3   a vote of two-thirds of all the members elected to each house, as  
4   provided by Section 39, Article III, Texas Constitution.  If this  
5   Act does not receive the vote necessary for immediate effect, this  
6   Act takes effect September 1, 2003.