

By: Miller, et al.

H.B. No. 1015

Substitute the following for H.B. No. 1015:

By: Elkins

C.S.H.B. No. 1015

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting a governmental body from disclosing a  
3 person's social security number to a member of the public in certain  
4 circumstances without the person's written consent.

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

6 SECTION 1. Subchapter C, Chapter 552, Government Code, is  
7 amended by adding Section 552.140 to read as follows:

8 Sec. 552.140. PROHIBITION ON DISCLOSURE OF SOCIAL SECURITY  
9 NUMBER. (a) Notwithstanding any other law, a person's social  
10 security number may not be disclosed to a member of the public by a  
11 governmental body in response to a request for the information made  
12 under this chapter or another law of this state without the person's  
13 written consent. The consent must be given on a clear and  
14 understandable form that the attorney general shall prescribe for  
15 that purpose. If the consent form is part of a larger document, the  
16 consent form must be a separate page of the larger document and the  
17 person's signature must appear on that page.

18 (b) Subsection (a) does not prohibit the disclosure of a  
19 person's social security number without the person's consent:

20 (1) to a federal, state, or local governmental entity  
21 for a legitimate governmental purpose;

22 (2) by a local governmental body if the social  
23 security number is contained in information that was created,  
24 assembled, or first maintained by or for the local governmental

1 body before September 1, 2003, and the disclosure of the social  
2 security number is not otherwise prohibited by law;

3 (3) to a private vendor as necessary to allow the  
4 vendor to perform a service for the governmental body under a  
5 contract with the governmental body;

6 (4) in connection with the collection of delinquent  
7 child support payments; and

8 (5) if the person whose social security number is  
9 disclosed has been convicted of a felony and the disclosure is  
10 relevant to establishing the person's identity.

11 (c) A private vendor that receives a social security number  
12 from a governmental body under Subsection (b)(3) may only disclose  
13 the social security number as necessary to allow the vendor to  
14 perform a service for the governmental body under the contract with  
15 the governmental body.

16 SECTION 2. Section 552.024, Government Code, is amended by  
17 adding Subsection (g) to read as follows:

18 (g) Subsection (d) does not authorize the release of a  
19 person's social security number to the extent that the person's  
20 social security number is protected from required disclosure under  
21 Section 552.140 or other law.

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