

By: Miller

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 without
4 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 to a
20 federal, state, or local governmental entity for a legitimate
21 governmental purpose.

22 SECTION 2. Section 552.024(a), Government Code, is amended
23 to read as follows:

24 (a) Each employee or official of a governmental body and

1 each former employee or official of a governmental body shall
2 choose whether to allow public access to the information in the
3 custody of the governmental body that relates to the person's home
4 address or ~~[7]~~ home telephone number ~~[7, or social security number,]~~
5 or that reveals whether the person has family members.

6 SECTION 3. Section 552.117, Government Code, is amended to
7 read as follows:

8 Sec. 552.117. EXCEPTION: CERTAIN ADDRESSES, TELEPHONE
9 NUMBERS, ~~[SOCIAL SECURITY NUMBERS,]~~ AND PERSONAL FAMILY
10 INFORMATION. Information is excepted from the requirements of
11 Section 552.021 if it is information that relates to the home
12 address or ~~[7]~~ home telephone number ~~[7, or social security number]~~
13 of the following person or that reveals whether the person has
14 family members:

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

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

21 (3) an employee of the Texas Department of Criminal
22 Justice, regardless of whether the employee complies with Section
23 552.1175;

24 (4) a peace officer as defined by Article 2.12, Code of
25 Criminal Procedure, or other law, a reserve law enforcement
26 officer, a commissioned deputy game warden, or a corrections
27 officer in a municipal, county, or state penal institution in this

1 state who was killed in the line of duty, regardless of whether the
2 deceased complied with Section 552.024 or 552.1175; or

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

6 SECTION 4. The heading to Section 552.1175, Government
7 Code, is amended to read as follows:

8 Sec. 552.1175. CONFIDENTIALITY OF ADDRESSES, TELEPHONE
9 NUMBERS, [~~SOCIAL SECURITY NUMBERS,~~] AND PERSONAL FAMILY
10 INFORMATION OF PEACE OFFICERS, COUNTY JAILERS, SECURITY OFFICERS,
11 AND EMPLOYEES OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE.

12 SECTION 5. Section 552.1175(b), Government Code, is amended
13 to read as follows:

14 (b) Information that relates to the home address or [~~r~~] home
15 telephone number [~~, or social security number~~] of an individual to
16 whom this section applies, or that reveals whether the individual
17 has family members is confidential and may not be disclosed to the
18 public under this chapter if the individual to whom the information
19 relates:

20 (1) chooses to restrict public access to the
21 information; and

22 (2) notifies the governmental body of the individual's
23 choice on a form provided by the governmental body, accompanied by
24 evidence of the individual's status.

25 SECTION 6. Section 552.132(b), Government Code, is amended
26 to read as follows:

27 (b) A crime victim may elect whether to allow public access

1 to information held by the crime victim's compensation division of
2 the attorney general's office that relates to:

3 (1) the name, [~~social security number,~~] address, or
4 telephone number of the crime victim; or

5 (2) any other information the disclosure of which
6 would identify or tend to identify the crime victim.

7 SECTION 7. Section 552.136(b), Government Code, as added by
8 Chapter 143, Acts of the 77th Legislature, Regular Session, 2001,
9 is amended to read as follows:

10 (b) Information maintained by a family violence shelter
11 center or sexual assault program is excepted from the requirements
12 of Section 552.021 if it is information that relates to:

13 (1) the home address or [~~]~~ home telephone number [~~, or~~
14 ~~social security number~~] of an employee or a volunteer worker of a
15 family violence shelter center or a sexual assault program,
16 regardless of whether the employee or worker complies with Section
17 552.024;

18 (2) the location or physical layout of a family
19 violence shelter center;

20 (3) the name, home address, home telephone number, or
21 numeric identifier of a current or former client of a family
22 violence shelter center or sexual assault program;

23 (4) the provision of services, including counseling
24 and sheltering, to a current or former client of a family violence
25 shelter center or sexual assault program;

26 (5) the name, home address, or home telephone number
27 of a private donor to a family violence shelter center or sexual

1 assault program; or

2 (6) the home address or home telephone number of a
3 member of the board of directors or the board of trustees of a
4 family violence shelter center or sexual assault program,
5 regardless of whether the board member complies with Section
6 552.024.

7 SECTION 8. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2003.