

By: Hupp

H.B. No. 1027

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of crime victim information.

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

SECTION 1. Section 552.132, Government Code, is amended by amending Subsections (a) and (d) and adding Subsection (f) to read as follows:

(a) Except as provided in Subsection (f), in ~~[In]~~ this section, "crime victim" means a victim under Subchapter B, Chapter 56, Code of Criminal Procedure, who has filed an application for compensation under that subchapter.

(d) If the crime victim elects not to allow public access to the information, the information is excepted from the requirements of Section 552.021. If the crime victim does not make an election under Subsections ~~[Subsection]~~ (b) or (f) or elects to allow public access to the information, the information is not excepted from the requirements of Section 552.021 unless the information is made confidential or excepted from those requirements by another law.

(f) An employee of a governmental body who is also a crime victim under Subchapter B, Chapter 56, Code of Criminal Procedure, regardless of whether the employee has filed an application for compensation under that subchapter, may elect whether to allow public access to information held by the attorney general's office or other governmental body which would identify or tend to identify the crime victim, including a photograph or other visual

1 representation of the victim. An election under this subsection
2 must be made in writing on a form developed by the governmental
3 body, be signed by the employee, and must be filed with the
4 governmental body before the third anniversary of the latest to
5 occur of one of the following: (1) the date the crime was
6 committed, (2) the date employment begins, or (3) the date the
7 governmental body develops the form and provides it to employees.
8 If the employee fails to make an election, the identifying
9 information is excepted from disclosure until the third anniversary
10 of the date the crime was committed. In case of disability,
11 impairment or other incapacity of the employee, the election may be
12 made by the guardian of the employee or former employee.

13 SECTION 2. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect on the 91st day after the last day of the
18 legislative session.