

By: Hochberg

H.B. No. 2032

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the confidentiality of e-mail addresses under the
3 public information law.

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

5 SECTION 1. Section 552.137, Government Code, is amended to
6 read as follows:

7 Sec. 552.137. CONFIDENTIALITY OF CERTAIN E-MAIL ADDRESSES.

8 (a) Except as otherwise provided by this section, an [An] e-mail
9 address of a member of the public that is provided for the purpose
10 of communicating electronically with a governmental body is
11 confidential and not subject to disclosure under this chapter.

12 (b) Confidential information described by this section that
13 relates to a member of the public may be disclosed if the member of
14 the public affirmatively consents to its release.

15 (c) Subsection (a) does not apply to an e-mail address:

16 (1) provided to a governmental body by a person who has
17 a contractual relationship with the governmental body or by the
18 contractor's agent;

19 (2) provided to a governmental body by a vendor who
20 seeks to contract with the governmental body or by the vendor's
21 agent;

22 (3) contained in a response to a request for bids or
23 proposals, contained in a response to similar invitations
24 soliciting offers or information relating to a potential contract,

1 or provided to a governmental body in the course of negotiating the
2 terms of a contract or potential contract; or

3 (4) provided to a governmental body on a letterhead,
4 coversheet, printed document, or other document made available to
5 the public.

6 (d) Subsection (a) does not prevent a governmental body from
7 disclosing an e-mail address for any reason to another governmental
8 body or to a federal agency.

9 SECTION 2. This Act takes effect September 1, 2003.