

By: Hochberg

H.B. No. 2032

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

(3) contained in a response to a request for bids or proposals, contained in a response to similar invitations 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.