

1-1 By: Hochberg (Senate Sponsor - Wentworth) H.B. No. 2032
1-2 (In the Senate - Received from the House May 5, 2003;
1-3 May 7, 2003, read first time and referred to Committee on State
1-4 Affairs; May 20, 2003, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 20, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the confidentiality of e-mail addresses under the
1-9 public information law.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 552.137, Government Code, is amended to
1-12 read as follows:

1-13 Sec. 552.137. CONFIDENTIALITY OF CERTAIN E-MAIL ADDRESSES.

1-14 (a) Except as otherwise provided by this section, an [An] e-mail
1-15 address of a member of the public that is provided for the purpose
1-16 of communicating electronically with a governmental body is
1-17 confidential and not subject to disclosure under this chapter.

1-18 (b) Confidential information described by this section that
1-19 relates to a member of the public may be disclosed if the member of
1-20 the public affirmatively consents to its release.

1-21 (c) Subsection (a) does not apply to an e-mail address:

1-22 (1) provided to a governmental body by a person who has
1-23 a contractual relationship with the governmental body or by the
1-24 contractor's agent;

1-25 (2) provided to a governmental body by a vendor who
1-26 seeks to contract with the governmental body or by the vendor's
1-27 agent;

1-28 (3) contained in a response to a request for bids or
1-29 proposals, contained in a response to similar invitations
1-30 soliciting offers or information relating to a potential contract,
1-31 or provided to a governmental body in the course of negotiating the
1-32 terms of a contract or potential contract; or

1-33 (4) provided to a governmental body on a letterhead,
1-34 coversheet, printed document, or other document made available to
1-35 the public.

1-36 (d) Subsection (a) does not prevent a governmental body from
1-37 disclosing an e-mail address for any reason to another governmental
1-38 body or to a federal agency.

1-39 SECTION 2. This Act takes effect September 1, 2003.

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