

By: Armbrister

S.B. No. 1388

A BILL TO BE ENTITLED

AN ACT

relating to access to certain personal information under the public information law.

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

SECTION 1. Section 552.117, Government Code, is amended to read as follows:

Sec. 552.117. EXCEPTION: CERTAIN ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION.

(a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, or social security number of the following person or that reveals whether the person has family members:

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

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

(3) a current or former ~~an~~ employee of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department, regardless of whether the current or former employee complies with Section 552.1175;

(4) a peace officer as defined by Article 2.12, Code of

1 Criminal Procedure, or other law, a reserve law enforcement  
2 officer, a commissioned deputy game warden, or a corrections  
3 officer in a municipal, county, or state penal institution in this  
4 state who was killed in the line of duty, regardless of whether the  
5 deceased complied with Section 552.024 or 552.1175; or

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

9 (b) All documents filed with a county clerk and all  
10 documents filed with a district clerk are exempt from this section.

11 SECTION 2. Section 552.1175, Government Code, is amended by  
12 amending Subsection (a) and adding Subsection (e) to read as  
13 follows:

14 (a) This section applies only to:

15 (1) peace officers as defined by Article 2.12, Code of  
16 Criminal Procedure;

17 (2) county jailers as defined by Section 1701.001,  
18 Occupations Code;

19 (3) current or former employees of the Texas  
20 Department of Criminal Justice or of the predecessor in function of  
21 the department or any division of the department; and

22 (4) commissioned security officers as defined by  
23 Section 1702.002, Occupations Code.

24 (e) All documents filed with a county clerk and all  
25 documents filed with a district clerk are exempt from this section.

26 SECTION 3. The change in law made by this Act to Sections  
27 552.117 and 552.1175, Government Code, applies to information about

1 former employees of the Texas Department of Criminal Justice or of  
2 the predecessor in function of the department or any of the  
3 department's divisions without regard to whether the information  
4 was created or acquired on, before, or after the effective date of  
5 this Act.

6 SECTION 4. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2003.