

1-1 By: Armbrister S.B. No. 1388
1-2 (In the Senate - Filed March 13, 2003; March 19, 2003, read
1-3 first time and referred to Committee on State Affairs; May 5, 2003,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 7, Nays 0; May 5, 2003, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1388 By: Nelson

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to access to certain personal information under the public
1-10 information law.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 552.117, Government Code, is amended to
1-13 read as follows:

1-14 Sec. 552.117. EXCEPTION: CERTAIN ADDRESSES, TELEPHONE
1-15 NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION.

1-16 (a) Information is excepted from the requirements of Section
1-17 552.021 if it is information that relates to the home address, home
1-18 telephone number, or social security number of the following person
1-19 or that reveals whether the person has family members:

1-20 (1) a current or former official or employee of a
1-21 governmental body, except as otherwise provided by Section 552.024;

1-22 (2) a peace officer as defined by Article 2.12, Code of
1-23 Criminal Procedure, or a security officer commissioned under
1-24 Section 51.212, Education Code, regardless of whether the officer
1-25 complies with Section 552.024 or 552.1175, as applicable;

1-26 (3) a current or former [an] employee of the Texas
1-27 Department of Criminal Justice or of the predecessor in function of
1-28 the department or any division of the department, regardless of
1-29 whether the current or former employee complies with Section
1-30 552.1175;

1-31 (4) a peace officer as defined by Article 2.12, Code of
1-32 Criminal Procedure, or other law, a reserve law enforcement
1-33 officer, a commissioned deputy game warden, or a corrections
1-34 officer in a municipal, county, or state penal institution in this
1-35 state who was killed in the line of duty, regardless of whether the
1-36 deceased complied with Section 552.024 or 552.1175; or

1-37 (5) a commissioned security officer as defined by
1-38 Section 1702.002, Occupations Code, regardless of whether the
1-39 officer complies with Section 552.024 or 552.1175, as applicable.

1-40 (b) All documents filed with a county clerk and all
1-41 documents filed with a district clerk are exempt from this section.

1-42 SECTION 2. Section 552.1175, Government Code, is amended by
1-43 amending Subsection (a) and adding Subsection (e) to read as
1-44 follows:

1-45 (a) This section applies only to:

1-46 (1) peace officers as defined by Article 2.12, Code of
1-47 Criminal Procedure;

1-48 (2) county jailers as defined by Section 1701.001,
1-49 Occupations Code;

1-50 (3) current or former employees of the Texas
1-51 Department of Criminal Justice or of the predecessor in function of
1-52 the department or any division of the department; and

1-53 (4) commissioned security officers as defined by
1-54 Section 1702.002, Occupations Code.

1-55 (e) All documents filed with a county clerk and all
1-56 documents filed with a district clerk are exempt from this section.

1-57 SECTION 3. The change in law made by this Act to Sections
1-58 552.117 and 552.1175, Government Code, applies to information about
1-59 former employees of the Texas Department of Criminal Justice or of
1-60 the predecessor in function of the department or any of the
1-61 department's divisions without regard to whether the information
1-62 was created or acquired on, before, or after the effective date of
1-63 this Act.

2-1 SECTION 4. This Act takes effect immediately if it receives
2-2 a vote of two-thirds of all the members elected to each house, as
2-3 provided by Section 39, Article III, Texas Constitution. If this
2-4 Act does not receive the vote necessary for immediate effect, this
2-5 Act takes effect September 1, 2003.

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