

By: Hupp

H.B. No. 318

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the confidentiality of certain records maintained by
3 the Department of Public Safety regarding persons licensed to carry
4 a concealed handgun.

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

6 SECTION 1. Section 411.192, Government Code, is amended to
7 read as follows:

8 Sec. 411.192. CONFIDENTIALITY OF RECORDS. (a) The
9 department shall disclose to a criminal justice agency information
10 contained in its files and records regarding whether a named
11 individual or any individual named in a specified list is licensed
12 under this subchapter. [~~The department shall, on written request
13 and payment of a reasonable fee to cover costs of copying, disclose
14 to any other individual whether a named individual or any
15 individual whose full name is listed on a specified written list is
16 licensed under this subchapter.~~] Information on an individual
17 subject to disclosure under this section includes the individual's
18 name, date of birth, gender, race, and zip code. Except as
19 otherwise provided by this section and by Section 411.193, all
20 other records maintained under this subchapter are confidential and
21 are not subject to mandatory disclosure under the open records law,
22 Chapter 552.

23 (b) An [~~except that the~~] applicant or license holder may
24 be furnished a copy of disclosable records regarding the applicant

1 or license holder on request and the payment of a reasonable fee.

2 (c) The department shall notify a license holder of any
3 request that is made for information relating to the license holder
4 under this section and provide the name of the [~~person or~~] agency
5 making the request.

6 (d) This section does not prohibit the department from
7 making public and distributing to the public at no cost lists of
8 individuals who are certified as qualified handgun instructors by
9 the department.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2005.