

By: Wentworth

S.B. No. 148

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the exception from required public disclosure of a
3 photograph of a peace officer.

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

5 SECTION 1. Section 552.119, Government Code, is amended to
6 read as follows:

7 Sec. 552.119. EXCEPTION: PHOTOGRAPH OF PEACE OFFICER [~~OR~~
8 ~~CERTAIN SECURITY GUARDS~~]. (a) A photograph that depicts a peace
9 officer as defined by Article 2.12, Code of Criminal Procedure, [~~or~~
10 ~~a security officer commissioned under Section 51.212, Education~~
11 ~~Code,~~] the release of which would endanger the life or physical
12 safety of the officer, is excepted from the requirements of Section
13 552.021 unless:

14 (1) the officer is under indictment or charged with an
15 offense by information;

16 (2) the officer is a party in a [~~fire or police~~] civil
17 service hearing or a case in arbitration; or

18 (3) the photograph is introduced as evidence in a
19 judicial proceeding.

20 (b) A photograph excepted [~~exempt~~] from disclosure under
21 Subsection (a) may be made public only if the peace officer [~~or~~
22 ~~security officer~~] gives written consent to the disclosure.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2005.