

## **BILL ANALYSIS**

H.B. 1331  
By: Flores  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the Texas Board of Law Examiners posts the results of candidates who take the Texas Bar Examination on its website using the full name of the applicant along with the individual's test identification number. This process fails to ensure the privacy of the candidates and provides no option for an individual to opt-out of having their results posted.

The passage list also sends a confusing message to the public. While a candidate who has passed the Bar Examination has met one of the requirements to practice, he or she must still pay their licensing fees and taxes, pass the professional ethics test, and be sworn in as an attorney before that person can legally practice law in the State of Texas. The Texas State Bar has available on its website a search engine where the first and last names of all Texas attorneys can be searched, and it lists whether or not an attorney's license is current as well as any disciplinary actions taken.

States such as Florida, Utah, and West Virginia have addressed bar examination privacy issues by listing bar examination results using only the candidate's test number, not their name. This ensures the candidate retains his or her privacy, an issue of great concern in the academic arena, and protects the public from relying on incomplete information.

HB 1331 would prohibit the display in any manner accessible to the public, the names of the examinees who passed or did not pass the Texas bar examination. Instead, the measure would authorize the use of unique identifiers assigned to the test takers to be posted.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1: Subchapter B, Chapter 82 of the Government Code is amended by adding Section 82.0295 prohibiting the Board of Law Examiners from posting or displaying at any location or any manner accessible to the public the names of the examinees who passed or did not pass the Texas bar examination. Furthermore, this section allows the board to display the results through the use of unique identifiers assigned to the examinees that conceal the examinees' identities from the public.

SECTION 2: Application of the Act.

SECTION 3: This Act takes effect immediately, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **EFFECTIVE DATE**

Immediately, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.