

## **BILL ANALYSIS**

Senate Research Center

S.B. 123  
By: Deuell, Van de Putte  
State Affairs  
7/9/2007  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Cities often collect and maintain personal information on all participants in youth recreational activities for the purposes of emergency situations and to ensure the release of a child to the appropriate caregiver. Currently, this personal information of persons younger than 18 years of age, including name, age, home address, photograph, telephone number, Social Security number, and names of parents or guardians, is subject to the Open Records Act and is considered public information.

S.B. 123 provides an exception to the Open Records Act, Chapter 552 (Public Information), Government Code, to protect the personal information of persons under 18 years of age.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 552, Government Code, by adding Section 552.148, as follows:

Sec. 552.148. EXCEPTION: CERTAIN PERSONAL INFORMATION MAINTAINED BY MUNICIPALITY PERTAINING TO A MINOR. (a) Defines "minor."

(b) Provides that the following information maintained by a municipality for purposes related to the participation by a minor in a recreational program or activity is excepted from the requirements of Section 552.021 (Availability of Public Information):

- (1) the name, age, home address, home telephone number, or Social Security number of the minor;
- (2) a photograph of the minor; and
- (3) the name of the minor's parent or legal guardian.

SECTION 2. Effective date: upon passage or September 1, 2007.