

BILL ANALYSIS

S.B. 123
By: Deuell
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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.

Senate Bill 123 provides an exception to the Open Records Act, Chapter 552, Government Code, to protect the personal information of persons under 18 years of age.

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

Senate Bill 123 amends the Government Code to define "minor" and provide 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, Government Code (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.

EFFECTIVE DATE

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