

1-1 By: Harper-Brown (Senate Sponsor - Harris) H.B. No. 1728
1-2 (In the Senate - Received from the House May 9, 2007;
1-3 May 10, 2007, read first time and referred to Committee on State
1-4 Affairs; May 17, 2007, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 17, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to confidentiality of certain information in rabies
1-9 vaccination certificates and dog and cat registries.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 826.0211(a) and (b), Health and Safety
1-12 Code, are amended to read as follows:

1-13 (a) Information contained in a rabies vaccination
1-14 certificate or in any record compiled from the information
1-15 contained in one or more certificates that identifies or tends to
1-16 identify an owner or an address, telephone number, or other
1-17 personally identifying information of an owner of a vaccinated
1-18 animal is confidential and not subject to disclosure under Chapter
1-19 552, Government Code. The information contained in the certificate
1-20 or record may not include the social security number or the driver's
1-21 license number of the owner of the vaccinated animal.

1-22 (b) The information may be disclosed only to a governmental
1-23 entity or a person that, under a contract with a governmental
1-24 entity, provides animal control services or animal registration
1-25 services for the governmental entity for purposes related to the
1-26 protection of public health and safety. A governmental entity or
1-27 person that receives the information, including a county or
1-28 municipality that registers dogs and cats under Subchapter D, must
1-29 maintain the confidentiality of the information, may not disclose
1-30 the information under Chapter 552, Government Code, and may not use
1-31 the information for a purpose that does not directly relate to the
1-32 protection of public health and safety.

1-33 SECTION 2. Sections 826.0311(a) and (b), Health and Safety
1-34 Code, are amended to read as follows:

1-35 (a) Information that is contained in a municipal or county
1-36 registry of dogs and cats under Section 826.031 that identifies or
1-37 tends to identify the owner or an address, telephone number, or
1-38 other personally identifying information of the owner of the
1-39 registered dog or cat is confidential and not subject to disclosure
1-40 under Chapter 552, Government Code. The information contained in
1-41 the registry may not include the social security number or the
1-42 driver's license number of the owner of the registered animal.

1-43 (b) The information may be disclosed only to a governmental
1-44 entity or a person that, under a contract with a governmental
1-45 entity, provides animal control services or animal registration
1-46 services for the governmental entity for purposes related to the
1-47 protection of public health and safety. A governmental entity or
1-48 person that receives the information must maintain the
1-49 confidentiality of the information, may not disclose the
1-50 information under Chapter 552, Government Code, and may not use the
1-51 information for a purpose that does not directly relate to the
1-52 protection of public health and safety.

1-53 SECTION 3. The change in law made by this Act to Sections
1-54 826.0211(a) and 826.0311(a), Health and Safety Code, applies only
1-55 to a certificate or registration issued, or record compiled, on or
1-56 after the effective date of this Act.

1-57 SECTION 4. This Act takes effect immediately if it receives
1-58 a vote of two-thirds of all the members elected to each house, as
1-59 provided by Section 39, Article III, Texas Constitution. If this
1-60 Act does not receive the vote necessary for immediate effect, this
1-61 Act takes effect September 1, 2007.

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