

By: Nelson

S.B. No. 48

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the confidentiality of certain personal information
3 maintained by a county clerk.

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

5 SECTION 1. Section 552.141, Government Code, as added by
6 Chapter 804, Acts of the 78th Legislature, Regular Session, 2003,
7 is amended to read as follows:

8 Sec. 552.141. CONFIDENTIALITY OF CERTAIN PERSONAL
9 INFORMATION MAINTAINED BY COUNTY CLERK [~~INFORMATION IN APPLICATION~~
10 ~~FOR MARRIAGE LICENSE~~]. (a) Information that relates to the social
11 security number of an individual or that relates to the number
12 assigned to a license, permit, or document described by Section
13 552.130(a)(1) or (3) issued to an individual and that is maintained
14 by a county clerk in any record [~~and that is on an application for a~~
15 ~~marriage license, including information in an application on behalf~~
16 ~~of an absent applicant and the affidavit of an absent applicant, or~~
17 ~~is on a document submitted with an application for a marriage~~
18 ~~license~~] is confidential and may not be disclosed by the county
19 clerk to the public under this chapter.

20 (b) If a [~~the~~] county clerk receives a request to make
21 information maintained by the county clerk [~~in a marriage license~~
22 ~~application~~] available under this chapter, the county clerk shall
23 redact any information that is confidential under Subsection (a)
24 before releasing [~~the portion of the application that contains an~~

1 ~~individual's social security number and release the remainder of]~~
2 the requested information [~~in the application~~].

3 (c) If a county clerk has or maintains an Internet website,
4 the county clerk may not post or maintain on that website any
5 information that is confidential under Subsection (a).

6 (d) To the extent of a conflict between this section and
7 another provision of this chapter or another law of this state, this
8 section prevails.

9 (e) This section does not affect the applicability of:

10 (1) Section 552.130 to information described by
11 Subsection (a)(1) or (3) of that section that is held by a
12 governmental body other than a county clerk; or

13 (2) Section 552.147 to a social security number that
14 is held by a governmental body other than a county clerk.

15 SECTION 2. The change in law made by this Act to Section
16 552.141, Government Code, as added by Chapter 804, Acts of the 78th
17 Legislature, Regular Session, 2003, applies to information
18 maintained by a county clerk regardless of when the information was
19 filed with the county clerk or when the information was collected or
20 assembled by the county clerk.

21 SECTION 3. This Act takes effect September 1, 2007.