

1-1 By: Hegar S.B. No. 636  
1-2 (In the Senate - Filed February 14, 2007; February 27, 2007,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 April 2, 2007, reported favorably by the following vote: Yeas 4,  
1-5 Nays 0; April 2, 2007, sent to printer.)

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

1-8 relating to excepting certain crime victim information from  
1-9 required disclosure under the public information law.

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

1-11 SECTION 1. Section 552.132, Government Code, is amended to  
1-12 read as follows:

1-13 Sec. 552.132. CONFIDENTIALITY OF [EXCEPTION+] CRIME VICTIM  
1-14 OR CLAIMANT INFORMATION. (a) Except as provided by Subsection (d)  
1-15 [~~(f)~~], in this section, "crime victim or claimant" means a victim or  
1-16 claimant under Subchapter B, Chapter 56, Code of Criminal  
1-17 Procedure, who has filed an application for compensation under that  
1-18 subchapter.

1-19 (b) The following [~~A crime victim may elect whether to allow~~  
1-20 ~~public access to~~] information held by the crime victim's  
1-21 compensation division of the attorney general's office is  
1-22 confidential [~~that relates to~~]:

1-23 (1) the name, social security number, address, or  
1-24 telephone number of a [~~the~~] crime victim or claimant; or

1-25 (2) any other information the disclosure of which  
1-26 would identify or tend to identify the crime victim or claimant.

1-27 (c) [~~An election under Subsection (b) must be:~~

1-28 [~~(1) made in writing on a form developed by the~~  
1-29 ~~attorney general for that purpose and signed by the crime victim,~~  
1-30 ~~and~~

1-31 [~~(2) filed with the crime victims' compensation~~  
1-32 ~~division before the third anniversary of the date that the crime~~  
1-33 ~~victim filed the application for compensation.~~

1-34 [~~(d) If the crime victim elects not to allow public access~~  
1-35 ~~to the information, the information is excepted from the~~  
1-36 ~~requirements of Section 552.021. If the crime victim does not make~~  
1-37 ~~an election under Subsection (b) or (f) or elects to allow public~~  
1-38 ~~access to the information, the information is not excepted from the~~  
1-39 ~~requirements of Section 552.021 unless the information is made~~  
1-40 ~~confidential or excepted from those requirements by another law.~~

1-41 [~~(e)~~] If the crime victim or claimant is awarded  
1-42 compensation under Section 56.34, Code of Criminal Procedure, as of  
1-43 the date of the award of compensation, the name of the crime victim  
1-44 or claimant and the amount of compensation awarded to that crime  
1-45 victim or claimant are public information and are not excepted from  
1-46 the requirements of Section 552.021.

1-47 (d) [~~(f)~~] An employee of a governmental body who is also a  
1-48 [~~crime~~] victim under Subchapter B, Chapter 56, Code of Criminal  
1-49 Procedure, regardless of whether the employee has filed an  
1-50 application for compensation under that subchapter, may elect  
1-51 whether to allow public access to information held by the attorney  
1-52 general's office or other governmental body that would identify or  
1-53 tend to identify the [~~crime~~] victim, including a photograph or  
1-54 other visual representation of the victim. An election under this  
1-55 subsection must be made in writing on a form developed by the  
1-56 governmental body, be signed by the employee, and be filed with the  
1-57 governmental body before the third anniversary of the latest to  
1-58 occur of one of the following:

1-59 (1) the date the crime was committed;

1-60 (2) the date employment begins; or

1-61 (3) the date the governmental body develops the form  
1-62 and provides it to employees.

1-63 (e) If the employee fails to make an election under  
1-64 Subsection (d), the identifying information is excepted from

2-1 disclosure until the third anniversary of the date the crime was  
2-2 committed. In case of disability, impairment, or other incapacity  
2-3 of the employee, the election may be made by the guardian of the  
2-4 employee or former employee.

2-5 SECTION 2. This Act takes effect September 1, 2007.

2-6

\* \* \* \* \*