

## **BILL ANALYSIS**

C.S.H.B. 1773  
By: Fletcher  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Certain dangers exist for many peace officers, judicial officials, and other personnel who enforce the laws of Texas. The office of the attorney general, for example, employs attorneys and staff who enforce the law through original jurisdiction or by assisting local district attorneys. Over the years, the legislature has authorized certain state and local personnel to be excepted from the disclosure of certain personal information under the public information law. The Tax Code includes similar problems, for some officials, with respect to information contained in property tax appraisal records.

C.S.H.B. 1773 amends the public information law and the Tax Code to add current and former personnel from a law enforcement division of the office of the attorney general to the list of individuals for whom information identifying the individual's home address, home telephone number, social security number, or identifying whether the individual has family members, is excepted from public availability under the open records law.

### **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**

C.S.H.B. 1773 amends the Government Code to add current or former employees of the office of the attorney general who are or were assigned to a division of that office, the duties of which involve law enforcement, to the list of individuals whose addresses, telephone numbers, social security numbers, and personal family information is confidential and nondisclosable to the public if the individual chooses to restrict public access and notifies the appropriate governmental body of that choice.

C.S.H.B. 1773 adds a current or former employee of the office of the attorney general who is or was assigned to a division of that office, the duties of which involve law enforcement, to the list of persons for whom information that relates to the home address, home telephone number, or social security number of the person, or that reveals whether the person has family members is excepted from the requirements of public availability under the open records law. The bill establishes that the exception applies regardless of whether the current or former employee complies with specified other statutes relating to the exercise of an option whether to allow or restrict public access.

C.S.H.B. 1773 reenacts and amends Section 25.025(a), Tax Code, as amended by Chapters 594 (H.B. 41), 621 (H.B. 455), and 851 (H.B. 1141), Acts of the 80th Legislature, Regular Session, 2007, to add a current or former employee of the office of the attorney general who is or was assigned to a division of that office, the duties of which involve law enforcement, to the list of individuals for whom information in appraisal records identifying the individual's home address is confidential and is only available for the official use of the appraisal district, the state, the

comptroller of public accounts, and taxing units and political subdivisions, if the individual chooses to restrict public access by means of the comptroller's prescribed form for that purpose.

**EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1773 differs from the original by replacing references to criminal law enforcement with references to law enforcement.

C.S.H.B. 1773 adds provisions not in the original establishing an open records law exception for information relating to the home address, home telephone number, or social security number, or revealing whether a person has family members, applicable to a current or former employee of the office of the attorney general who is assigned to a division the duties of which involve law enforcement, regardless of whether the current or former employee complies with specified other statutes relating to the exercise of an option whether to allow or restrict public access.