

BILL ANALYSIS

Senate Research Center

S.B. 1071
By: Wentworth
State Affairs
10/8/2009
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Government Code contains certain statutes that have been construed to except certain information concerning an employee or trustee of a public employee pension system, such as income, salary, benefits, and bonuses received from the pension system, from requirements and application of the Public Information Act.

S.B. 1071 relates to the required disclosure under the public information law of information pertaining to an employee or trustee of a public employee pension system.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 552, Government Code, by adding Section 552.0221, as follows:

Sec. 552.0221. EMPLOYEE OR TRUSTEE OF PUBLIC EMPLOYEE PENSION SYSTEM. (a) Provides that information concerning the employment of an employee of a public employee pension system is public information under the terms of this chapter, including information concerning the income, salary, benefits, and bonuses received from the pension system by the employee in the person's capacity as an employee of the system, and is not removed from the application of this chapter, made confidential, or otherwise excepted from the requirements of Section 552.021 (Availability of Public Information) by any statute intended to protect the records of persons as members, beneficiaries, or retirees of a public employee pension system in their capacity as such.

(b) Provides that information concerning the service of a trustee of a public employee pension system is public information under the terms of this chapter, including information concerning the income, salary, benefits, and bonuses received from the pension system by the trustee in the person's capacity as a trustee of the system, and is not removed from the application of this chapter, made confidential, or otherwise excepted from the requirements of Section 552.021 by any statute intended to protect the records of persons as members, beneficiaries, or retirees of a public employee pension system in their capacity as such.

(c) Requires that information subject to Subsections (a) and (b) be released only to the extent the information is not excepted from required disclosure under this subchapter (Right of Access to Public Information) or Subchapter C (Information Excepted from Required Disclosure).

(d) Provides that for purposes of this section, "benefits" does not include pension benefits provided to an individual by a pension system under the statutory plan covering the individual as a member, beneficiary, or retiree of the pension system.

SECTION 2. Makes application of Section 552.0221, Government Code, as added by this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009.