

By: Fletcher

H.B. No. 1773

Substitute the following for H.B. No. 1773:

By: Solomons

C.S.H.B. No. 1773

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the confidentiality of certain personal information  
3 concerning current and former employees of certain divisions of the  
4 office of the attorney general.

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

6 SECTION 1. Section 552.117(a), Government Code, is amended  
7 to read as follows:

8 (a) Information is excepted from the requirements  
9 of Section 552.021 if it is information that relates to the home  
10 address, home telephone number, or social security number of the  
11 following person or that reveals whether the person has family  
12 members:

13 (1) a current or former official or employee of a  
14 governmental body, except as otherwise provided by Section 552.024;

15 (2) a peace officer as defined by Article 2.12, Code of  
16 Criminal Procedure, or a security officer commissioned under  
17 Section 51.212, Education Code, regardless of whether the officer  
18 complies with Section 552.024 or 552.1175, as applicable;

19 (3) a current or former employee of the Texas  
20 Department of Criminal Justice or of the predecessor in function of  
21 the department or any division of the department, regardless of  
22 whether the current or former employee complies with Section  
23 552.1175;

24 (4) a peace officer as defined by Article 2.12, Code of

1 Criminal Procedure, or other law, a reserve law enforcement  
2 officer, a commissioned deputy game warden, or a corrections  
3 officer in a municipal, county, or state penal institution in this  
4 state who was killed in the line of duty, regardless of whether the  
5 deceased complied with Section 552.024 or 552.1175;

6 (5) a commissioned security officer as defined by  
7 Section 1702.002, Occupations Code, regardless of whether the  
8 officer complies with Section 552.024 or 552.1175, as applicable;  
9 [~~or~~]

10 (6) an officer or employee of a community supervision  
11 and corrections department established under Chapter 76 who  
12 performs a duty described by Section 76.004(b), regardless of  
13 whether the officer or employee complies with Section 552.024 or  
14 552.1175; or

15 (7) a current or former employee of the office of the  
16 attorney general who is or was assigned to a division of that office  
17 the duties of which involve law enforcement, regardless of whether  
18 the current or former employee complies with Section 552.024 or  
19 552.1175.

20 SECTION 2. Section 552.1175(a), Government Code, is amended  
21 to read as follows:

22 (a) This section applies only to:

23 (1) peace officers as defined by Article 2.12, Code  
24 of Criminal Procedure;

25 (2) county jailers as defined by Section 1701.001,  
26 Occupations Code;

27 (3) current or former employees of the Texas

1 Department of Criminal Justice or of the predecessor in function of  
2 the department or any division of the department;

3 (4) commissioned security officers as defined  
4 by Section 1702.002, Occupations Code;

5 (5) employees of a district attorney, criminal  
6 district attorney, or county or municipal attorney whose  
7 jurisdiction includes any criminal law or child protective services  
8 matters; ~~and~~

9 (6) officers and employees of a community supervision  
10 and corrections department established under Chapter 76 who perform  
11 a duty described by Section 76.004(b); and

12 (7) current and former employees of the office of the  
13 attorney general who are or were assigned to a division of that  
14 office the duties of which involve law enforcement.

15 SECTION 3. Section 25.025(a), Tax Code, as amended by  
16 Chapters 594 (H.B. 41), 621 (H.B. 455), and 851 (H.B. 1141), Acts of  
17 the 80th Legislature, Regular Session, 2007, is reenacted and  
18 amended to read as follows:

19 (a) This section applies only to:

20 (1) a current or former peace officer as defined by  
21 Article 2.12, Code of Criminal Procedure;

22 (2) a county jailer as defined by Section 1701.001,  
23 Occupations Code;

24 (3) an employee of the Texas Department of Criminal  
25 Justice;

26 (4) a commissioned security officer as defined by  
27 Section 1702.002, Occupations Code;

1           (5) a victim of family violence as defined by Section  
2 71.004, Family Code, if as a result of the act of family violence  
3 against the victim, the actor is convicted of a felony or a Class A  
4 misdemeanor; ~~and~~

5           (6) a federal judge or state judge;

6           (7) ~~[(6)]~~ a current or former employee of a district  
7 attorney, criminal district attorney, or county or municipal  
8 attorney whose jurisdiction includes any criminal law or child  
9 protective services matters;

10           (8) ~~[(6)]~~ an officer or employee of a community  
11 supervision and corrections department established under Chapter  
12 76, Government Code, who performs a duty described by Section  
13 76.004(b) of that code; and

14           (9) a current or former employee of the office of the  
15 attorney general who is or was assigned to a division of that office  
16 the duties of which involve law enforcement.

17           SECTION 4. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2009.