

By: Merritt

H.B. No. 4037

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the confidentiality of information related to certified
3 handgun instructors.

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

5 SECTION 1. Section 411.192, Government Code, is amended to
6 read as follows:

7 Sec. 411.192. CONFIDENTIALITY OF RECORDS. (a) The
8 department shall disclose to a criminal justice agency information
9 contained in its files and records regarding whether a named
10 individual or any individual named in a specified list is licensed
11 under this subchapter. Information on an individual subject to
12 disclosure under this section includes the individual's name, date
13 of birth, gender, race, ~~and~~ zip code, phone number, and e-mail and
14 website address. Except as otherwise provided by this section and
15 by Section 411.193, all other records maintained under this
16 subchapter are confidential and are not subject to mandatory
17 disclosure under the open records law, Chapter 552.

18 (b) An applicant or license holder may be furnished a copy
19 of disclosable records regarding the applicant or license holder on
20 request and the payment of a reasonable fee.

21 (c) The department shall notify a license holder of any
22 request that is made for information relating to the license holder
23 under this section and provide the name of the agency making the
24 request.

1 (d) The [~~This section does not prohibit the~~] department
2 shall make and distribute [~~from making public and distributing~~] to
3 the public at no cost lists of individuals who are certified as
4 qualified handgun instructors by the department. This list of
5 certified handgun instructors shall include the individual's name,
6 phone number, e-mail, and website and be made available on the
7 department's website on or before June 1, 2010.

8 (e) If an individual whose information is subject to
9 disclosure under Subsection (d) submits a written request to the
10 department that all or part of his or her information not be made
11 available to the public, the department shall remove that
12 individual's information from the list, in all or part, as
13 requested.

14 SECTION 2. EFFECTIVE DATE. This Act takes effect
15 immediately if it receives a vote of two-thirds of all the members
16 elected to each house, as provided by Section 39, Article III, Texas
17 Constitution. If this Act does not receive the vote necessary for
18 immediate effect, this Act takes effect September 1, 2009.