By: Merritt H.B. No. 4037

A BILL TO BE ENTITLED

1 AN ACT

- 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, email, 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.

H.B. No. 4037

- 1 (d) This section does not prohibit the department from
 2 shall makeing and distributeing to the public at no cost, lists of
 3 individuals who are certified as qualified handgun instructors by
 4 the department. This list of certified handgun instructors shall
 5 include the individual's name, phone number, email, and website,
 6 and be made available on the department's website on or before June
 7 1, 2010.
- 8 (e) If an individual whose information is subject to
 9 disclosure under Section 411.192(d) submits a written request to
 10 the department that all or part of his or her information not be
 11 made available to the public, the department shall remove that
 12 individual's information from the list, in all or part as
 13 requested.
- SECTION 2. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.