

By: Huffman

S.B. No. 2556

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the confidentiality of information pertaining to
3 certain biological agents and toxins.

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

5 SECTION 1. Subchapter C, Chapter 552, Government Code, is
6 amended by adding Section 552.151 to read as follows:

7 Sec. 552.151. EXCEPTION: INFORMATION REGARDING SELECT
8 AGENTS. Information that pertains to a biological agent or toxin
9 identified or listed as a select agent under federal law, including
10 under the Public Health Security and Bioterrorism Preparedness and
11 Response Act of 2002 (Pub. L. No. 107-188) and regulations adopted
12 under that Act, is confidential and excepted from the requirements
13 of Section 552.021, including information pertaining to:

- 14 (1) the location of a select agent;
15 (2) security and safeguard protections;
16 (3) site-specific or transfer-specific documentation;
17 or
18 (4) the identity of an individual authorized to
19 possess, use, or access a select agent.

20 SECTION 2. Section 552.151, Government Code, as added by
21 this Act, applies in relation to:

- 22 (1) a request for public information under Chapter
23 552, Government Code, made before, on, or after the effective date
24 of this Act; and

1 (2) information that on the effective date of this Act
2 has not yet been disclosed that:

3 (A) was the subject of a request for information
4 made before the effective date of this Act; and

5 (B) the attorney general determined before the
6 effective date of this Act to be subject to disclosure under Chapter
7 552, Government Code.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2009.