

1-1 By: Huffman S.B. No. 2556
1-2 (In the Senate - Filed April 23, 2009; April 23, 2009, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 May 1, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; May 1, 2009, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2556 By: Huffman

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the confidentiality of information pertaining to
1-11 certain biological agents and toxins.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter C, Chapter 552, Government Code, is
1-14 amended by adding Section 552.151 to read as follows:

1-15 Sec. 552.151. EXCEPTION: INFORMATION REGARDING SELECT
1-16 AGENTS. Information that pertains to a biological agent or toxin
1-17 identified or listed as a select agent under federal law, including
1-18 under the Public Health Security and Bioterrorism Preparedness and
1-19 Response Act of 2002 (Pub. L. No. 107-188) and regulations adopted
1-20 under that Act, is confidential and excepted from the requirements
1-21 of Section 552.021, including information pertaining to:

1-22 (1) the location of a select agent;
1-23 (2) security and safeguard protections;
1-24 (3) site-specific or transfer-specific documentation;

1-25 or

1-26 (4) the identity of an individual authorized to
1-27 possess, use, or access a select agent.

1-28 SECTION 2. Section 552.151, Government Code, as added by
1-29 this Act, applies in relation to:

1-30 (1) a request for public information under Chapter
1-31 552, Government Code, made before, on, or after the effective date
1-32 of this Act; and

1-33 (2) information that on the effective date of this Act
1-34 has not yet been disclosed that:

1-35 (A) was the subject of a request for information
1-36 made before the effective date of this Act; and

1-37 (B) the attorney general determined before the
1-38 effective date of this Act to be subject to disclosure under Chapter
1-39 552, Government Code.

1-40 SECTION 3. This Act takes effect immediately if it receives
1-41 a vote of two-thirds of all the members elected to each house, as
1-42 provided by Section 39, Article III, Texas Constitution. If this
1-43 Act does not receive the vote necessary for immediate effect, this
1-44 Act takes effect September 1, 2009.

1-45 * * * * *