

## **BILL ANALYSIS**

C.S.H.B. 1046  
By: Fletcher  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Enforcing the laws of the state can be dangerous for law enforcement personnel. Over the years, the legislature has authorized certain state and local personnel to be excepted from the disclosure of certain personal information under open records law. C.S.H.B. 1046 addresses the confidentiality of certain personal information concerning current and former employees of certain divisions of the office of attorney general.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1046 amends the Government Code, in a provision relating to persons for whom certain information is excepted from the requirements of state open records law, to add to those persons a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement, regardless of whether the current or former employee complies with provisions of open records law that authorize a person to choose whether to allow public access to certain information about the person. The bill, regarding the applicability of a provision relating to certain confidential information excepted from required disclosure, applies that provision to current and former employees of the office of the attorney general who are or were assigned to a division of that office the duties of which involve law enforcement.

C.S.H.B. 1046 amends the Tax Code, in a provision relating to the persons to whom the confidentiality of certain home address information in a property appraisal record is applicable, to apply that provision to a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1046 omits provisions included in the original relating to a prohibition against disclosing or otherwise making available to the public certain information contained in the personnel records of deputy sheriffs in certain counties, with certain exceptions.