

1-1 By: Fletcher (Senate Sponsor - Huffman) H.B. No. 1046
1-2 (In the Senate - Received from the House May 16, 2011;
1-3 May 16, 2011, read first time and referred to Committee on State
1-4 Affairs; May 20, 2011, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 20, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the confidentiality of certain personal information
1-9 concerning current and former employees of certain divisions of the
1-10 office of attorney general.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 552.117(a), Government Code, is amended
1-13 to read as follows:

1-14 (a) Information is excepted from the requirements
1-15 of Section 552.021 if it is information that relates to the home
1-16 address, home telephone number, or social security number of the
1-17 following person or that reveals whether the person has family
1-18 members:

1-19 (1) a current or former official or employee of a
1-20 governmental body, except as otherwise provided by Section 552.024;

1-21 (2) a peace officer as defined by Article 2.12, Code of
1-22 Criminal Procedure, or a security officer commissioned under
1-23 Section 51.212, Education Code, regardless of whether the officer
1-24 complies with Section 552.024 or 552.1175, as applicable;

1-25 (3) a current or former employee of the Texas
1-26 Department of Criminal Justice or of the predecessor in function of
1-27 the department or any division of the department, regardless of
1-28 whether the current or former employee complies with Section
1-29 552.1175;

1-30 (4) a peace officer as defined by Article 2.12, Code of
1-31 Criminal Procedure, or other law, a reserve law enforcement
1-32 officer, a commissioned deputy game warden, or a corrections
1-33 officer in a municipal, county, or state penal institution in this
1-34 state who was killed in the line of duty, regardless of whether the
1-35 deceased complied with Section 552.024 or 552.1175;

1-36 (5) a commissioned security officer as defined by
1-37 Section 1702.002, Occupations Code, regardless of whether the
1-38 officer complies with Section 552.024 or 552.1175, as applicable;
1-39 ~~[or]~~

1-40 (6) an officer or employee of a community supervision
1-41 and corrections department established under Chapter 76 who
1-42 performs a duty described by Section 76.004(b), regardless of
1-43 whether the officer or employee complies with Section 552.024 or
1-44 552.1175; or

1-45 (7) a current or former employee of the office of the
1-46 attorney general who is or was assigned to a division of that office
1-47 the duties of which involve law enforcement, regardless of whether
1-48 the current or former employee complies with Section 552.024 or
1-49 552.1175.

1-50 SECTION 2. Section 552.1175(a), Government Code, is amended
1-51 to read as follows:

1-52 (a) This section applies only to:

1-53 (1) peace officers as defined by Article 2.12, Code of
1-54 Criminal Procedure;

1-55 (2) county jailers as defined by Section 1701.001,
1-56 Occupations Code;

1-57 (3) current or former employees of the Texas
1-58 Department of Criminal Justice or of the predecessor in function of
1-59 the department or any division of the department;

1-60 (4) commissioned security officers as defined by
1-61 Section 1702.002, Occupations Code;

1-62 (5) employees of a district attorney, criminal
1-63 district attorney, or county or municipal attorney whose
1-64 jurisdiction includes any criminal law or child protective services

matters;

(6) officers and employees of a community supervision and corrections department established under Chapter 76 who perform a duty described by Section 76.004(b);

(7) criminal investigators of the United States as described by Article 2.122(a), Code of Criminal Procedure; ~~and~~

(8) police officers and inspectors of the United States Federal Protective Service; and

(9) 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.

SECTION 3. Section 25.025(a), Tax Code, is amended to read as follows:

(a) This section applies only to:

(1) a current or former peace officer as defined by Article 2.12, Code of Criminal Procedure;

(2) a county jailer as defined by Section 1701.001, Occupations Code;

(3) an employee of the Texas Department of Criminal Justice;

(4) a commissioned security officer as defined by Section 1702.002, Occupations Code;

(5) a victim of family violence as defined by Section 71.004, Family Code, if as a result of the act of family violence against the victim, the actor is convicted of a felony or a Class A misdemeanor;

(6) a federal judge, a state judge, or the spouse of a federal judge or state judge;

(7) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(8) an officer or employee of a community supervision and corrections department established under Chapter 76, Government Code, who performs a duty described by Section 76.004(b) of that code;

(9) a criminal investigator of the United States as described by Article 2.122(a), Code of Criminal Procedure; ~~and~~

(10) a police officer or inspector of the United States Federal Protective Service; and

(11) 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.

SECTION 4. 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, 2011.

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