

By: Reynolds

H.B. No. 2463

A BILL TO BE ENTITLED

1 AN ACT
2 relating to access to certain records regarding an employment
3 discrimination claim.

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

5 SECTION 1. Section 21.304, Labor Code, is amended to read as
6 follows:

7 Sec. 21.304. CONFIDENTIALITY OF RECORDS. An officer or
8 employee of the commission may not disclose to the public
9 information obtained by the commission under Section 21.204 except
10 in compliance with Section 21.305 and as necessary to the conduct of
11 a proceeding under this chapter.

12 SECTION 2. Section 21.305, Labor Code, is amended by
13 amending Subsection (a) and adding Subsections (c) and (d) to read
14 as follows:

15 (a) The commission shall adopt rules allowing a party to a
16 complaint filed under Section 21.201 reasonable access to
17 commission records relating to the complaint to the extent that the
18 access complies with federal law and the United States Equal
19 Employment Opportunity Commission's regulations, policies, and
20 work-sharing agreement with the commission regarding access to
21 confidential records and complaint and investigation files.

22 (c) The commission may provide access to information
23 described by this subchapter only if the access is permitted under
24 the federal Privacy Act of 1974 (5 U.S.C. Section 552a) and the

1 United States Equal Employment Opportunity Commission's
2 regulations, policies, and procedures.

3 (d) All records and information collected, received,
4 maintained, or otherwise developed by the commission in
5 investigating or resolving a complaint filed with or transferred to
6 the commission are not public information under Chapter 552,
7 Government Code.

8 SECTION 3. This Act takes effect September 1, 2011.