

By: Reynolds

H.B. No. 2463

A BILL TO BE ENTITLED

AN ACT

relating to access to certain records regarding an employment
discrimination claim.

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

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

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

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

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

(c) The commission may provide access to information
described by this subchapter only if the access is permitted under
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.