

By: Jackson

S.B. No. 563

A BILL TO BE ENTITLED

AN ACT

relating to information regarding job matching services provided by the Texas Workforce Commission; providing a criminal penalty.

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

SECTION 1. The heading to Section 301.085, Labor Code, is amended to read as follows:

Sec. 301.085. UNEMPLOYMENT COMPENSATION AND JOB MATCHING SERVICES INFORMATION; OFFENSE; PENALTY.

SECTION 2. Section 301.085, Labor Code, is amended by amending Subsections (a), (c), and (d) and adding Subsection (b-1) to read as follows:

(a) In this section:

(1) "Job matching services information" means information in the records of the commission that pertains to the commission's job matching services provided to employers and job seekers through the Internet, workforce centers, or other means.

(2) "Unemployment [~~,"unemployment]~~ compensation information" means information in the records of the commission that pertains to the administration of Subtitle A, including any information collected, received, developed, or maintained in the administration of unemployment compensation benefits or the unemployment compensation tax system.

(b-1) The commission shall adopt and enforce reasonable rules governing the confidentiality, custody, use, preservation,

1 and disclosure of job matching services information. The rules
2 must include safeguards to protect the confidentiality of
3 identifying information regarding any individual or any past or
4 present employer or employing unit contained in job matching
5 services information, including any information that foreseeably
6 could be combined with other publicly available information to
7 reveal identifying information regarding the individual, employer,
8 or employing unit, as applicable.

9 (c) Unemployment compensation information and job matching
10 services information ~~is~~ not public information for purposes
11 of Chapter 552, Government Code.

12 (d) Unless permitted by this subchapter or commission rule,
13 a person commits an offense if the person solicits, discloses,
14 receives, or uses, or authorizes, permits, participates in, or
15 acquiesces in another person's use of, unemployment compensation
16 information or job matching services information that reveals:

17 (1) identifying information regarding any individual
18 or past or present employer or employing unit; or

19 (2) information that foreseeably could be combined
20 with other publicly available information to reveal identifying
21 information regarding any individual or past or present employer or
22 employing unit.

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