

1-1 By: Jackson S.B. No. 563
1-2 (In the Senate - Filed February 8, 2011; February 17, 2011,
1-3 read first time and referred to Committee on Economic Development;
1-4 March 14, 2011, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; March 14, 2011, sent to printer.)

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

1-8 relating to information regarding job matching services provided by
1-9 the Texas Workforce Commission; providing a criminal penalty.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. The heading to Section 301.085, Labor Code, is
1-12 amended to read as follows:

1-13 Sec. 301.085. UNEMPLOYMENT COMPENSATION AND JOB MATCHING
1-14 SERVICES INFORMATION; OFFENSE; PENALTY.

1-15 SECTION 2. Section 301.085, Labor Code, is amended by
1-16 amending Subsections (a), (c), and (d) and adding Subsection (b-1)
1-17 to read as follows:

1-18 (a) In this section:

1-19 (1) "Job matching services information" means
1-20 information in the records of the commission that pertains to the
1-21 commission's job matching services provided to employers and job
1-22 seekers through the Internet, workforce centers, or other means.

1-23 (2) "Unemployment[~~,~~ "unemployment] compensation
1-24 information" means information in the records of the commission
1-25 that pertains to the administration of Subtitle A, including any
1-26 information collected, received, developed, or maintained in the
1-27 administration of unemployment compensation benefits or the
1-28 unemployment compensation tax system.

1-29 (b-1) The commission shall adopt and enforce reasonable
1-30 rules governing the confidentiality, custody, use, preservation,
1-31 and disclosure of job matching services information. The rules
1-32 must include safeguards to protect the confidentiality of
1-33 identifying information regarding any individual or any past or
1-34 present employer or employing unit contained in job matching
1-35 services information, including any information that foreseeably
1-36 could be combined with other publicly available information to
1-37 reveal identifying information regarding the individual, employer,
1-38 or employing unit, as applicable.

1-39 (c) Unemployment compensation information and job matching
1-40 services information are [~~is~~] not public information for purposes
1-41 of Chapter 552, Government Code.

1-42 (d) Unless permitted by this subchapter or commission rule,
1-43 a person commits an offense if the person solicits, discloses,
1-44 receives, or uses, or authorizes, permits, participates in, or
1-45 acquiesces in another person's use of, unemployment compensation
1-46 information or job matching services information that reveals:

1-47 (1) identifying information regarding any individual
1-48 or past or present employer or employing unit; or

1-49 (2) information that foreseeably could be combined
1-50 with other publicly available information to reveal identifying
1-51 information regarding any individual or past or present employer or
1-52 employing unit.

1-53 SECTION 3. This Act takes effect September 1, 2011.

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