

By: Davis

S.B. No. 1638

A BILL TO BE ENTITLED

AN ACT

relating to the exception of certain personal information from required disclosure under the public information law.

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

SECTION 1. Section 552.024(a), Government Code, is amended to read as follows:

(a) Each employee or official of a governmental body and each former employee or official of a governmental body shall choose whether to allow public access to the information in the custody of the governmental body that relates to the person's home address, home telephone number, emergency contact information, or social security number, or that reveals whether the person has family members.

SECTION 2. Section 552.117(a), Government Code, is amended to read as follows:

(a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:

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

(2) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under

1 Section 51.212, Education Code, regardless of whether the officer
2 complies with Section 552.024 or 552.1175, as applicable;

3 (3) a current or former employee of the Texas
4 Department of Criminal Justice or of the predecessor in function of
5 the department or any division of the department, regardless of
6 whether the current or former employee complies with Section
7 552.1175;

8 (4) a peace officer as defined by Article 2.12, Code of
9 Criminal Procedure, or other law, a reserve law enforcement
10 officer, a commissioned deputy game warden, or a corrections
11 officer in a municipal, county, or state penal institution in this
12 state who was killed in the line of duty, regardless of whether the
13 deceased complied with Section 552.024 or 552.1175;

14 (5) a commissioned security officer as defined by
15 Section 1702.002, Occupations Code, regardless of whether the
16 officer complies with Section 552.024 or 552.1175, as applicable;
17 or

18 (6) an officer or employee of a community supervision
19 and corrections department established under Chapter 76 who
20 performs a duty described by Section 76.004(b), regardless of
21 whether the officer or employee complies with Section 552.024 or
22 552.1175.

23 SECTION 3. Section 552.1175(b), Government Code, is amended
24 to read as follows:

25 (b) Information that relates to the home address, home
26 telephone number, emergency contact information, or social
27 security number of an individual to whom this section applies, or

1 that reveals whether the individual has family members is
2 confidential and may not be disclosed to the public under this
3 chapter if the individual to whom the information relates:

4 (1) chooses to restrict public access to the
5 information; and

6 (2) notifies the governmental body of the individual's
7 choice on a form provided by the governmental body, accompanied by
8 evidence of the individual's status.

9 SECTION 4. Section 552.130(a), Government Code, is amended
10 to read as follows:

11 (a) Information is excepted from the requirements of
12 Section 552.021 if the information relates to:

13 (1) a motor vehicle operator's or driver's license or
14 permit issued by an agency of this state or another state or
15 country;

16 (2) a motor vehicle title or registration issued by an
17 agency of this state or another state or country; or

18 (3) a personal identification document issued by an
19 agency of this state or another state or country or a local agency
20 authorized to issue an identification document.

21 SECTION 5. Section 552.139(b), Government Code, is amended
22 to read as follows:

23 (b) The following information is confidential:

24 (1) a computer network vulnerability report; ~~and~~

25 (2) any other assessment of the extent to which data
26 processing operations, a computer, a computer program, network,
27 system, or system interface, or software of a governmental body or

1 of a contractor of a governmental body is vulnerable to
2 unauthorized access or harm, including an assessment of the extent
3 to which the governmental body's or contractor's electronically
4 stored information containing sensitive or critical information is
5 vulnerable to alteration, damage, erasure, or inappropriate use;
6 and

7 (3) a photocopy or other copy of an identification
8 badge issued to an official or employee of a governmental body.

9 SECTION 6. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2011.