

## **BILL ANALYSIS**

C.S.H.B. 919  
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Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In an effort to improve vehicle management and delivery of public safety services, law enforcement agencies use an automatic vehicle locator system, which combines GPS technology, cellular communications, and street-level mapping to remotely track the location of an agency vehicle over the Internet. An automatic vehicle locator system allows an agency to quickly pinpoint a vehicle's location, speed, and course and to route vehicles in a manner that provides optimal response time. This system can also be used to increase the accountability of field personnel and boost the efficiency of an agency's dispatching procedure by dispatching vehicles that are located closest to emergencies.

Concern has been raised that this specific location information, if made public, could be dangerous for a community and its law enforcement personnel by exposing personnel patrol patterns, area coverage, and the location of routine stops. Additionally, the residences, investigative locations, and secured facilities of law enforcement personnel could be located through the use of the GPS data and exposed through public information requests. To address these concerns, C.S.H.B. 919 exempts certain information relating to the location of a law enforcement vehicle from public disclosure.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 919 amends the Government Code to exempt from state public information law detailed, aggregated information held by a law enforcement agency or prosecutor that relates to the location of a vehicle used for law enforcement if the information requested would directly or indirectly reveal the physical location of or route used by more than one peace officer or vehicles operated by more than one peace officer or in relation to more than one incident and relates to more than a 24-hour period, and if the law enforcement agency determines that the release of the information may create a hazard to a peace officer, the public, or another person.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 919 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 552.108, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Information held by a law enforcement agency or prosecutor that relates to the location of a vehicle used for law enforcement is excepted from the requirements of Section 552.021 if:

(1) the information would directly or indirectly reveal the physical location of or route used by a peace officer or vehicle operated by a peace officer; or

(2) the law enforcement agency determines that the release of the information may create a hazard to a peace officer, the public, or another person.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 552.108, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Detailed, aggregated information held by a law enforcement agency or prosecutor that relates to the location of a vehicle used for law enforcement is excepted from the requirements of Section 552.021 if:

(1) the information requested:

(A) would directly or indirectly reveal the physical location of or route used by more than one peace officer or vehicles operated by more than one peace officer or in relation to more than one incident; and

(B) relates to more than a 24-hour period; and

(2) the law enforcement agency determines that the release of the information may create a hazard to a peace officer, the public, or another person.

SECTION 2. Same as introduced version.