

By: Martinez

H.B. No. 367

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure by a member of the legislature or the lieutenant governor of certain information concerning a resident of this state to a governmental body.

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

SECTION 1. Section 306.003, Government Code, is amended by adding Subsection (c) to read as follows:

(c) If a member of the legislature or the lieutenant governor discloses to the Department of Family and Protective Services or a governmental unit that is a "covered entity" under Section 181.001(b), Health and Safety Code, all or part of a record to which Subsection (a) applies or communicates to the department or governmental unit a description of the information contained in the record that identifies or would tend to identify the resident of this state who communicated with the member or lieutenant governor, the record or the described information, as applicable, in the possession of the department or governmental unit is subject to and confidential under Subsection (a) and may be disclosed to any other person only to the extent that the member of the legislature or lieutenant governor elects to disclose the record or the described information.

SECTION 2. Section 306.004, Government Code, is amended by adding Subsection (d) to read as follows:

(d) If a member of the legislature or the lieutenant

1 governor discloses to the Department of Family and Protective
2 Services or a governmental unit that is a "covered entity" under
3 Section 181.001(b), Health and Safety Code, a communication to
4 which this section applies or communicates to the department or
5 governmental unit a description of the information contained in the
6 communication that identifies or would tend to identify the citizen
7 of this state who communicated with the member or lieutenant
8 governor, the communication or the described information, as
9 applicable, in the possession of the department or governmental
10 unit is subject to and confidential under this section and may be
11 disclosed to another person only to the extent that the member of
12 the legislature or lieutenant governor elects to disclose the
13 communication or the described information.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2013.