

By: Morrison

H.B. No. 3630

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exception of certain communications by law
3 enforcement agencies and officers from disclosure under the public
4 information law.

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

6 SECTION 1. Subchapter C, Chapter 552, Government Code, is
7 amended by adding Section 552.1081 to read as follows:

8 Sec. 552.1081. EXCEPTION: CERTAIN LAW ENFORCEMENT
9 COMMUNICATIONS. (a) In this section, "peace officer" means a
10 person designated as a peace officer by Article 2.12, Code of
11 Criminal Procedure.

12 (b) Records of telephone calls, text messages, e-mails, or
13 other electronic communications to which a peace officer is a party
14 are excepted from the requirements of Section 552.021. The
15 communications are subject to disclosure under an appropriate court
16 order, subpoena, or order compelling disclosure in discovery.

17 (c) A law enforcement agency or officer may redact
18 information that may be withheld under Subsection (a) from any
19 information the agency or officer discloses under Section 552.021
20 without the necessity of requesting a decision from the attorney
21 general under Subchapter G.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2013.