

By: Hegar

S.B. No. 988

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2013.