

By: McClendon

H.B. No. 1311

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the confidentiality of personal information concerning
3 certain employees currently or formerly involved in the Texas
4 juvenile justice system.

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

6 SECTION 1. Section 552.117(a), Government Code, is amended
7 to read as follows:

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

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

15 (2) a peace officer as defined by Article 2.12, Code of
16 Criminal Procedure, or a security officer commissioned under
17 Section 51.212, Education Code, regardless of whether the officer
18 complies with Section 552.024 or 552.1175, as applicable;

19 (3) a current or former employee of the Texas
20 Department of Criminal Justice or of the predecessor in function of
21 the department or any division of the department, regardless of
22 whether the current or former employee complies with Section
23 552.1175;

24 (4) a peace officer as defined by Article 2.12, Code of

1 Criminal Procedure, or other law, a reserve law enforcement
2 officer, a commissioned deputy game warden, or a corrections
3 officer in a municipal, county, or state penal institution in this
4 state who was killed in the line of duty, regardless of whether the
5 deceased complied with Section 552.024 or 552.1175;

6 (5) a commissioned security officer as defined by
7 Section 1702.002, Occupations Code, regardless of whether the
8 officer complies with Section 552.024 or 552.1175, as applicable;

9 (6) an officer or employee of a community supervision
10 and corrections department established under Chapter 76 who
11 performs a duty described by Section 76.004(b), regardless of
12 whether the officer or employee complies with Section 552.024 or
13 552.1175;

14 (7) a current or former employee of the office of the
15 attorney general who is or was assigned to a division of that office
16 the duties of which involve law enforcement, regardless of whether
17 the current or former employee complies with Section 552.024 or
18 552.1175;

19 (8) a current or former employee of the Texas Juvenile
20 Justice Department or of the predecessors in function of the
21 department, regardless of whether the current or former employee
22 complies with Section 552.024 or 552.1175;

23 (9) a current or former juvenile probation or
24 supervision officer certified by the Texas Juvenile Justice
25 Department, or the predecessors in function of the department,
26 under Title 12, Human Resources Code, regardless of whether the
27 current or former officer complies with Section 552.024 or

1 [552.1175](#); or

2 (10) a current or former employee [~~employees~~] of a
3 juvenile justice program or facility, as those terms are defined by
4 Section [261.405](#), Family Code, regardless of whether the current or
5 former employee complies with Section [552.024](#) or [552.1175](#).

6 SECTION 2. Section [552.1175](#)(a), Government Code, as amended
7 by Chapters 937 (H.B. 1632) and 1033 (H.B. 2733), Acts of the 83rd
8 Legislature, Regular Session, 2013, is reenacted and amended to
9 read as follows:

10 (a) This section applies only to:

11 (1) peace officers as defined by Article [2.12](#), Code of
12 Criminal Procedure;

13 (2) county jailers as defined by Section [1701.001](#),
14 Occupations Code;

15 (3) current or former employees of the Texas
16 Department of Criminal Justice or of the predecessor in function of
17 the department or any division of the department;

18 (4) commissioned security officers as defined by
19 Section [1702.002](#), Occupations Code;

20 (5) employees of a district attorney, criminal
21 district attorney, or county or municipal attorney whose
22 jurisdiction includes any criminal law or child protective services
23 matters;

24 (6) officers and employees of a community supervision
25 and corrections department established under Chapter 76 who perform
26 a duty described by Section [76.004](#)(b);

27 (7) criminal investigators of the United States as

1 described by Article 2.122(a), Code of Criminal Procedure;

2 (8) police officers and inspectors of the United
3 States Federal Protective Service;

4 (9) current and former employees of the office of the
5 attorney general who are or were assigned to a division of that
6 office the duties of which involve law enforcement; ~~and~~

7 (10) current or former juvenile probation and
8 detention officers certified by the Texas Juvenile Justice
9 Department, or the predecessors in function of the department,
10 under Title 12, Human Resources Code;

11 (11) current or former employees of a juvenile justice
12 program or facility, as those terms are defined by Section 261.405,
13 Family Code; ~~and~~

14 (12) current or former employees of the Texas Juvenile
15 Justice Department or the predecessors in function of the
16 department; and

17 (13) ~~(10)~~ federal judges and state judges as defined
18 by Section 13.0021, Election Code.

19 SECTION 3. Section 25.025(a), Tax Code, as reenacted and
20 amended by Chapters 996 (H.B. 2267) and 1028 (H.B. 2676), Acts of
21 the 83rd Legislature, Regular Session, 2013, is reenacted and
22 amended to read as follows:

23 (a) This section applies only to:

24 (1) a current or former peace officer as defined by
25 Article 2.12, Code of Criminal Procedure;

26 (2) a county jailer as defined by Section 1701.001,
27 Occupations Code;

- 1 (3) an employee of the Texas Department of Criminal
2 Justice;
- 3 (4) a commissioned security officer as defined by
4 Section 1702.002, Occupations Code;
- 5 (5) a victim of family violence as defined by Section
6 71.004, Family Code, if as a result of the act of family violence
7 against the victim, the actor is convicted of a felony or a Class A
8 misdemeanor;
- 9 (6) a federal judge, a state judge, or the spouse of a
10 federal judge or state judge;
- 11 (7) a current or former employee of a district
12 attorney, criminal district attorney, or county or municipal
13 attorney whose jurisdiction includes any criminal law or child
14 protective services matters;
- 15 (8) an officer or employee of a community supervision
16 and corrections department established under Chapter 76,
17 Government Code, who performs a duty described by Section 76.004(b)
18 of that code;
- 19 (9) a criminal investigator of the United States as
20 described by Article 2.122(a), Code of Criminal Procedure;
- 21 (10) a police officer or inspector of the United
22 States Federal Protective Service;
- 23 (11) a current or former United States attorney or
24 assistant United States attorney and the spouse and child of the
25 attorney;
- 26 (12) a current or former employee of the office of the
27 attorney general who is or was assigned to a division of that office

1 the duties of which involve law enforcement; ~~and~~

2 (13) a medical examiner or person who performs
3 forensic analysis or testing who is employed by this state or one or
4 more political subdivisions of this state;

5 (14) ~~(13)~~ a current or former member of the United
6 States armed forces who has served in an area that the president of
7 the United States by executive order designates for purposes of 26
8 U.S.C. Section 112 as an area in which armed forces of the United
9 States are or have engaged in combat;

10 (15) a current or former employee of the Texas
11 Juvenile Justice Department or of the predecessors in function of
12 the department;

13 (16) a current or former juvenile probation or
14 supervision officer certified by the Texas Juvenile Justice
15 Department, or the predecessors in function of the department,
16 under Title 12, Human Resources Code; and

17 (17) a current or former employee of a juvenile
18 justice program or facility, as those terms are defined by Section
19 261.405, Family Code.

20 SECTION 4. To the extent of any conflict, this Act prevails
21 over another Act of the 84th Legislature, Regular Session, 2015,
22 relating to nonsubstantive additions to and corrections in enacted
23 codes.

24 SECTION 5. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2015.