

By: Fletcher

H.B. No. 2152

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of certain information concerning service members of the state military forces.

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

SECTION 1. Subchapter E, Chapter 437, Government Code, is amended by adding Section 437.232 to read as follows:

Sec. 437.232. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Information that relates to the military service of a service member ordered to state active duty, including the service member's name, orders, and the location of the service member's deployment, is confidential and not subject to Chapter 552 during the period the service member remains ordered to state active duty.

(b) After a service member is relieved from duty, information pertaining to the service member's state active duty is public information and is not excepted from required disclosure under Chapter 552, subject to state and federal laws governing disclosure of military information.

SECTION 2. Section 552.117(a), Government Code, is amended to read as follows:

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

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

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

7           (3) a current or former employee of the Texas  
8 Department of Criminal Justice or of the predecessor in function of  
9 the department or any division of the department, regardless of  
10 whether the current or former employee complies with Section  
11 552.1175;

12           (4) a peace officer as defined by Article 2.12, Code of  
13 Criminal Procedure, or other law, a reserve law enforcement  
14 officer, a commissioned deputy game warden, or a corrections  
15 officer in a municipal, county, or state penal institution in this  
16 state who was killed in the line of duty, regardless of whether the  
17 deceased complied with Section 552.024 or 552.1175;

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

21           (6) an officer or employee of a community supervision  
22 and corrections department established under Chapter 76 who  
23 performs a duty described by Section 76.004(b), regardless of  
24 whether the officer or employee complies with Section 552.024 or  
25 552.1175;

26           (7) 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, regardless of whether  
2 the current or former employee complies with Section 552.024 or  
3 552.1175;

4 (8) a current or former employee of the Texas Juvenile  
5 Justice Department or of the predecessors in function of the  
6 department, regardless of whether the current or former employee  
7 complies with Section 552.1175;

8 (9) a juvenile probation or supervision officer  
9 certified by the Texas Juvenile Justice Department, or the  
10 predecessors in function of the department, under Title 12, Human  
11 Resources Code; ~~or~~

12 (10) employees of a juvenile justice program or  
13 facility, as those terms are defined by Section 261.405, Family  
14 Code; or

15 (11) a current or former member of the Texas military  
16 forces, as that term is defined by Section 437.001.

17 SECTION 3. The changes in law made by this Act apply only to  
18 a request for information that is received by a governmental body or  
19 an officer for public information on or after the effective date of  
20 this Act. A request for information that was received before the  
21 effective date of this Act is governed by the law in effect on the  
22 date the request was received, and the former law is continued in  
23 effect for that purpose.

24 SECTION 4. This Act takes effect September 1, 2015.