

By: Bohac

H.B. No. 2359

Substitute the following for H.B. No. 2359:

By: Phillips

C.S.H.B. No. 2359

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting the Department of Public Safety from  
3 responding to bulk requests from the federal government for lists  
4 of individuals licensed to carry a concealed handgun.

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

6 SECTION 1. Section [411.192](#), Government Code, is amended by  
7 amending Subsection (a) and adding Subsections (a-1) and (a-2) to  
8 read as follows:

9 (a) In this section:

10 (1) "Bulk request" means a request for all or a  
11 significant portion of the names or other personal information of  
12 applicants or licensees who:

13 (A) reside within a certain geographical area; or

14 (B) applied for a license or were licensed within  
15 a certain period.

16 (2) "Criminal justice agency" has the meaning assigned  
17 by Article [60.01](#), Code of Criminal Procedure.

18 (a-1) Subject to Subsection (a-2), the [The] department  
19 may, only in response to a subpoena issued in a criminal proceeding,  
20 [shall] disclose to a criminal justice agency information contained  
21 in its files and records regarding whether a named individual or any  
22 individual named in a specified list is licensed under this  
23 subchapter. Information on an individual subject to disclosure  
24 under this section includes the individual's name, date of birth,

1 gender, race, zip code, telephone number, e-mail address, and  
2 Internet website address. Except as otherwise provided by this  
3 section and by Section 411.193, all other records maintained under  
4 this subchapter are confidential and are not subject to mandatory  
5 disclosure under the open records law, Chapter 552.

6 (a-2) To the extent allowed by federal law, the department,  
7 in response to a bulk request made by a federal criminal justice  
8 agency, may not provide to the agency a list of individuals licensed  
9 to carry a concealed handgun under this subchapter.

10 SECTION 2. This Act takes effect September 1, 2015.