

By: Burkett

H.B. No. 2766

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the confidentiality of a person's date of birth;  
3 affecting the prosecution of the offense of distribution or misuse  
4 of confidential information.

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 552.1151 to read as follows:

8 Sec. 552.1151. CONFIDENTIALITY OF DATE OF BIRTH. (a) A  
9 person's date of birth is confidential and not subject to  
10 disclosure under this chapter.

11 (b) A governmental body may redact a person's date of birth  
12 from any information the governmental body discloses under Section  
13 552.021 without the necessity of requesting a decision from the  
14 attorney general under Subchapter G.

15 (c) Notwithstanding any other law, a county or district  
16 clerk may disclose in the ordinary course of business a person's  
17 date of birth that is contained in information held by the clerk's  
18 office, and that disclosure is not official misconduct and does not  
19 subject the clerk to civil or criminal liability of any kind under  
20 the law of this state, including any claim for damages in a lawsuit  
21 or the criminal penalty imposed by Section 552.352.

22 SECTION 2. Section 552.1151, Government Code, as added by  
23 this Act, applies to a request for information made before, on, or  
24 after the effective date of this Act.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2015.