

By: Raney

H.B. No. 760

A BILL TO BE ENTITLED

AN ACT

relating to excepting the date of birth of a living person from required 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 552.157 to read as follows:

Sec. 552.157. EXCEPTION: DATES OF BIRTH. (a) The date of birth of a living person is excepted from the requirements of Section 552.021 but is not confidential under this section, and this section does not make the date of birth of a living person confidential under another provision of this chapter or other law.

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

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

SECTION 2. Section 552.157, Government Code, as added by

1 this Act, applies to a request for information received by a
2 governmental body or an officer for public information without
3 regard to whether the request was received before, on, or after the
4 effective date of this Act.

5 SECTION 3. This Act takes effect September 1, 2017.