

By: Davis of Harris

H.B. No. 1380

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the disclosure to a law enforcement agency of  
3 confidential information relating to a complaint filed with the  
4 Texas Ethics Commission; creating a criminal offense.

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

6 SECTION 1. Section 571.140(a), Government Code, is amended  
7 to read as follows:

8 (a) Except as provided by Subsection (b) or (b-1) or by  
9 Section 571.1401 or 571.171, proceedings at a preliminary review  
10 hearing performed by the commission, a sworn complaint, and  
11 documents and any additional evidence relating to the processing,  
12 preliminary review, preliminary review hearing, or resolution of a  
13 sworn complaint or motion are confidential and may not be disclosed  
14 unless entered into the record of a formal hearing or a judicial  
15 proceeding, except that a document or statement that was previously  
16 public information remains public information.

17 SECTION 2. Subchapter E, Chapter 571, Government Code, is  
18 amended by adding Section 571.1401 to read as follows:

19 Sec. 571.1401. CERTAIN DISCLOSURE OF INFORMATION. (a) To  
20 protect the public interest, the commission may disclose to a law  
21 enforcement agency information that is confidential under Section  
22 571.140(a).

23 (b) The commission may disclose information under this  
24 section only to the extent necessary for the recipient of the

1 information to perform a duty or function that is in addition to the  
2 commission's duties and functions.

3 (c) Information disclosed to a law enforcement agency under  
4 this section remains confidential, and the agency must take  
5 appropriate measures to maintain that confidentiality.

6 (d) A person commits an offense if the person discloses  
7 confidential information obtained under this section. An offense  
8 under this subsection is a Class C misdemeanor.

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