

By: Goldman

H.B. No. 3222

A BILL TO BE ENTITLED

AN ACT

relating to the availability under the public information law of certain documents filed with a county clerk or a district clerk.

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

SECTION 1. Section 552.117, Government Code, is amended to read as follows:

Sec. 552.117. EXCEPTION: CONFIDENTIALITY OF CERTAIN ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION. ~~[(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) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024;

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

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

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

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

10          (6) an officer or employee of a community supervision  
11 and corrections department established under Chapter 76 who  
12 performs a duty described by Section 76.004(b), regardless of  
13 whether the officer or employee complies with Section 552.024 or  
14 552.1175;

15          (7) a current or former employee of the office of the  
16 attorney general who is or was assigned to a division of that office  
17 the duties of which involve law enforcement, regardless of whether  
18 the current or former employee complies with Section 552.024 or  
19 552.1175;

20          (8) a current or former employee of the Texas Juvenile  
21 Justice Department or of the predecessors in function of the  
22 department, regardless of whether the current or former employee  
23 complies with Section 552.024 or 552.1175;

24          (9) a current or former juvenile probation or  
25 supervision officer certified by the Texas Juvenile Justice  
26 Department, or the predecessors in function of the department,  
27 under Title 12, Human Resources Code, regardless of whether the

current or former officer complies with Section 552.024 or 552.1175;

(10) a current or former employee of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code, regardless of whether the current or former employee complies with Section 552.024 or 552.1175; ~~or~~

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

(12) a current legal spouse of a person listed in this section, regardless of whether the spouse complies with Section 552.1175.

~~[(b) All documents filed with a county clerk and all documents filed with a district clerk are exempt from this section.]~~

SECTION 2. Section 552.1175(a), Government Code, is amended to read as follows:

(a) This section applies only to:

(1) peace officers as defined by Article 2.12, Code of Criminal Procedure;

(2) county jailers as defined by Section 1701.001, Occupations Code;

(3) current or former employees of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department;

(4) commissioned security officers as defined by Section 1702.002, Occupations Code;

(5) employees of a district attorney, criminal

1 district attorney, or county or municipal attorney whose  
2 jurisdiction includes any criminal law or child protective services  
3 matters;

4 (6) officers and employees of a community supervision  
5 and corrections department established under Chapter 76 who perform  
6 a duty described by Section 76.004(b);

7 (7) criminal investigators of the United States as  
8 described by Article 2.122(a), Code of Criminal Procedure;

9 (8) police officers and inspectors of the United  
10 States Federal Protective Service;

11 (9) current and former employees of the office of the  
12 attorney general who are or were assigned to a division of that  
13 office the duties of which involve law enforcement;

14 (10) current or former juvenile probation and  
15 detention officers certified by the Texas Juvenile Justice  
16 Department, or the predecessors in function of the department,  
17 under Title 12, Human Resources Code;

18 (11) current or former employees of a juvenile justice  
19 program or facility, as those terms are defined by Section 261.405,  
20 Family Code;

21 (12) current or former employees of the Texas Juvenile  
22 Justice Department or the predecessors in function of the  
23 department; ~~and~~

24 (13) federal judges and state judges as defined by  
25 Section 13.0021, Election Code; and

26 (14) the current legal spouse of an individual listed  
27 in this subsection.

1           SECTION 3. Section [552.1175\(e\)](#), Government Code, is  
2 repealed.

3           SECTION 4. The changes in law made by this Act apply only to  
4 a request for information that is received by a governmental body or  
5 an officer for public information on or after the effective date of  
6 this Act. A request for information that was received before the  
7 effective date of this Act is governed by the law in effect on the  
8 date the request was received, and the former law is continued in  
9 effect for that purpose.

10          SECTION 5. This Act takes effect January 1, 2018.