

By: Campbell

S.B. No. 659

A BILL TO BE ENTITLED

AN ACT

relating to the availability of personal information of a statewide
elected official or member of the legislature.

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

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

(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;

(4) a peace officer as defined by Article 2.12, Code of
Criminal Procedure, or other law, a reserve law enforcement

1 officer, a commissioned deputy game warden, or a corrections
2 officer in a municipal, county, or state penal institution in this
3 state who was killed in the line of duty, regardless of whether the
4 deceased complied with Section 552.024 or 552.1175;

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

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

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

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

22 (9) a current or former juvenile probation or
23 supervision officer certified by the Texas Juvenile Justice
24 Department, or the predecessors in function of the department,
25 under Title 12, Human Resources Code, regardless of whether the
26 current or former officer complies with Section 552.024 or
27 552.1175;

1 (10) a current or former employee of a juvenile
2 justice program or facility, as those terms are defined by Section
3 [261.405](#), Family Code, regardless of whether the current or former
4 employee complies with Section [552.024](#) or [552.1175](#); ~~[or]~~

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

7 (12) a state officer elected statewide or a member of
8 the legislature, regardless of whether the officer or member
9 complies with Section [552.024](#) or [552.1175](#).

10 SECTION 2. The heading to Section [552.1175](#), Government
11 Code, is amended to read as follows:

12 Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN
13 PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER
14 OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS [~~, COUNTY~~
15 ~~JAILERS, SECURITY OFFICERS, EMPLOYEES OF CERTAIN CRIMINAL OR~~
16 ~~JUVENILE JUSTICE AGENCIES OR OFFICES, AND FEDERAL AND STATE~~
17 ~~JUDGES]~~.

18 SECTION 3. Section [552.1175](#)(a), Government Code, is amended
19 to read as follows:

20 (a) This section applies only to:

21 (1) peace officers as defined by Article [2.12](#), Code of
22 Criminal Procedure;

23 (2) county jailers as defined by Section [1701.001](#),
24 Occupations Code;

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

- 1 (4) commissioned security officers as defined by
2 Section 1702.002, Occupations Code;
- 3 (5) employees of a district attorney, criminal
4 district attorney, or county or municipal attorney whose
5 jurisdiction includes any criminal law or child protective services
6 matters;
- 7 (6) officers and employees of a community supervision
8 and corrections department established under Chapter 76 who perform
9 a duty described by Section 76.004(b);
- 10 (7) criminal investigators of the United States as
11 described by Article 2.122(a), Code of Criminal Procedure;
- 12 (8) police officers and inspectors of the United
13 States Federal Protective Service;
- 14 (9) current and former employees of the office of the
15 attorney general who are or were assigned to a division of that
16 office the duties of which involve law enforcement;
- 17 (10) current or former juvenile probation and
18 detention officers certified by the Texas Juvenile Justice
19 Department, or the predecessors in function of the department,
20 under Title 12, Human Resources Code;
- 21 (11) current or former employees of a juvenile justice
22 program or facility, as those terms are defined by Section 261.405,
23 Family Code;
- 24 (12) current or former employees of the Texas Juvenile
25 Justice Department or the predecessors in function of the
26 department; ~~and~~
- 27 (13) federal judges and state judges as defined by

1 Section 13.0021, Election Code; and
2 (14) state officers elected statewide and members of
3 the legislature.

4 SECTION 4. Section 25.025(a), Tax Code, is amended to read
5 as follows:

6 (a) This section applies only to:

7 (1) a current or former peace officer as defined by
8 Article 2.12, Code of Criminal Procedure;

9 (2) a county jailer as defined by Section 1701.001,
10 Occupations Code;

11 (3) an employee of the Texas Department of Criminal
12 Justice;

13 (4) a commissioned security officer as defined by
14 Section 1702.002, Occupations Code;

15 (5) a victim of family violence as defined by Section
16 71.004, Family Code, if as a result of the act of family violence
17 against the victim, the actor is convicted of a felony or a Class A
18 misdemeanor;

19 (6) a federal judge, a state judge, or the spouse of a
20 federal judge or state judge;

21 (7) a current or former employee of a district
22 attorney, criminal district attorney, or county or municipal
23 attorney whose jurisdiction includes any criminal law or child
24 protective services matters;

25 (8) an officer or employee of a community supervision
26 and corrections department established under Chapter 76,
27 Government Code, who performs a duty described by Section 76.004(b)

1 of that code;

2 (9) a criminal investigator of the United States as
3 described by Article 2.122(a), Code of Criminal Procedure;

4 (10) a police officer or inspector of the United
5 States Federal Protective Service;

6 (11) a current or former United States attorney or
7 assistant United States attorney and the spouse and child of the
8 attorney;

9 (12) a current or former employee of the office of the
10 attorney general who is or was assigned to a division of that office
11 the duties of which involve law enforcement;

12 (13) a medical examiner or person who performs
13 forensic analysis or testing who is employed by this state or one or
14 more political subdivisions of this state;

15 (14) a current or former member of the United States
16 armed forces who has served in an area that the president of the
17 United States by executive order designates for purposes of 26
18 U.S.C. Section 112 as an area in which armed forces of the United
19 States are or have engaged in combat;

20 (15) a current or former employee of the Texas
21 Juvenile Justice Department or of the predecessors in function of
22 the department;

23 (16) a current or former juvenile probation or
24 supervision officer certified by the Texas Juvenile Justice
25 Department, or the predecessors in function of the department,
26 under Title 12, Human Resources Code; ~~and~~

27 (17) a current or former employee of a juvenile

1 justice program or facility, as those terms are defined by Section
2 [261.405](#), Family Code; and

3 (18) a state officer elected statewide or a member of
4 the legislature.

5 SECTION 5. The changes in law made by this Act to Sections
6 [552.117](#) and [552.1175](#), Government Code, and Section [25.025](#), Tax
7 Code, apply only to a request for information that is received by a
8 governmental body or an officer on or after the effective date of
9 this Act. A request for information that was received before the
10 effective date of this Act is governed by the law in effect on the
11 date the request was received, and the former law is continued in
12 effect for that purpose.

13 SECTION 6. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section [39](#), Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2017.