

1-1 By: Campbell S.B. No. 659
 1-2 (In the Senate - Filed January 30, 2017; February 14, 2017,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 5, 2017, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 5, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the availability of personal information of a statewide
 1-20 elected official or member of the legislature.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 552.117(a), Government Code, is amended
 1-23 to read as follows:

1-24 (a) Information is excepted from the requirements of
 1-25 Section 552.021 if it is information that relates to the home
 1-26 address, home telephone number, emergency contact information, or
 1-27 social security number of the following person or that reveals
 1-28 whether the person has family members:

1-29 (1) a current or former official or employee of a
 1-30 governmental body, except as otherwise provided by Section 552.024;

1-31 (2) a peace officer as defined by Article 2.12, Code of
 1-32 Criminal Procedure, or a security officer commissioned under
 1-33 Section 51.212, Education Code, regardless of whether the officer
 1-34 complies with Section 552.024 or 552.1175, as applicable;

1-35 (3) a current or former employee of the Texas
 1-36 Department of Criminal Justice or of the predecessor in function of
 1-37 the department or any division of the department, regardless of
 1-38 whether the current or former employee complies with Section
 1-39 552.1175;

1-40 (4) a peace officer as defined by Article 2.12, Code of
 1-41 Criminal Procedure, or other law, a reserve law enforcement
 1-42 officer, a commissioned deputy game warden, or a corrections
 1-43 officer in a municipal, county, or state penal institution in this
 1-44 state who was killed in the line of duty, regardless of whether the
 1-45 deceased complied with Section 552.024 or 552.1175;

1-46 (5) a commissioned security officer as defined by
 1-47 Section 1702.002, Occupations Code, regardless of whether the
 1-48 officer complies with Section 552.024 or 552.1175, as applicable;

1-49 (6) an officer or employee of a community supervision
 1-50 and corrections department established under Chapter 76 who
 1-51 performs a duty described by Section 76.004(b), regardless of
 1-52 whether the officer or employee complies with Section 552.024 or
 1-53 552.1175;

1-54 (7) a current or former employee of the office of the
 1-55 attorney general who is or was assigned to a division of that office
 1-56 the duties of which involve law enforcement, regardless of whether
 1-57 the current or former employee complies with Section 552.024 or
 1-58 552.1175;

1-59 (8) a current or former employee of the Texas Juvenile
 1-60 Justice Department or of the predecessors in function of the
 1-61 department, regardless of whether the current or former employee

2-1 complies with Section 552.024 or 552.1175;

2-2 (9) a current or former juvenile probation or
2-3 supervision officer certified by the Texas Juvenile Justice
2-4 Department, or the predecessors in function of the department,
2-5 under Title 12, Human Resources Code, regardless of whether the
2-6 current or former officer complies with Section 552.024 or
2-7 552.1175;

2-8 (10) a current or former employee of a juvenile
2-9 justice program or facility, as those terms are defined by Section
2-10 261.405, Family Code, regardless of whether the current or former
2-11 employee complies with Section 552.024 or 552.1175; [~~or~~]

2-12 (11) a current or former member of the Texas military
2-13 forces, as that term is defined by Section 437.001; or

2-14 (12) a state officer elected statewide or a member of
2-15 the legislature, regardless of whether the officer or member
2-16 complies with Section 552.024 or 552.1175.

2-17 SECTION 2. The heading to Section 552.1175, Government
2-18 Code, is amended to read as follows:

2-19 Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN
2-20 PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER
2-21 OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS [~~, COUNTY~~
2-22 ~~JAILERS, SECURITY OFFICERS, EMPLOYEES OF CERTAIN CRIMINAL OR~~
2-23 ~~JUVENILE JUSTICE AGENCIES OR OFFICES, AND FEDERAL AND STATE~~
2-24 ~~JUDGES~~].

2-25 SECTION 3. Section 552.1175(a), Government Code, is amended
2-26 to read as follows:

2-27 (a) This section applies only to:

2-28 (1) peace officers as defined by Article 2.12, Code of
2-29 Criminal Procedure;

2-30 (2) county jailers as defined by Section 1701.001,
2-31 Occupations Code;

2-32 (3) current or former employees of the Texas
2-33 Department of Criminal Justice or of the predecessor in function of
2-34 the department or any division of the department;

2-35 (4) commissioned security officers as defined by
2-36 Section 1702.002, Occupations Code;

2-37 (5) employees of a district attorney, criminal
2-38 district attorney, or county or municipal attorney whose
2-39 jurisdiction includes any criminal law or child protective services
2-40 matters;

2-41 (6) officers and employees of a community supervision
2-42 and corrections department established under Chapter 76 who perform
2-43 a duty described by Section 76.004(b);

2-44 (7) criminal investigators of the United States as
2-45 described by Article 2.122(a), Code of Criminal Procedure;

2-46 (8) police officers and inspectors of the United
2-47 States Federal Protective Service;

2-48 (9) current and former employees of the office of the
2-49 attorney general who are or were assigned to a division of that
2-50 office the duties of which involve law enforcement;

2-51 (10) current or former juvenile probation and
2-52 detention officers certified by the Texas Juvenile Justice
2-53 Department, or the predecessors in function of the department,
2-54 under Title 12, Human Resources Code;

2-55 (11) current or former employees of a juvenile justice
2-56 program or facility, as those terms are defined by Section 261.405,
2-57 Family Code;

2-58 (12) current or former employees of the Texas Juvenile
2-59 Justice Department or the predecessors in function of the
2-60 department; [~~and~~]

2-61 (13) federal judges and state judges as defined by
2-62 Section 13.0021, Election Code; and

2-63 (14) state officers elected statewide and members of
2-64 the legislature.

2-65 SECTION 4. Section 25.025(a), Tax Code, is amended to read
2-66 as follows:

2-67 (a) This section applies only to:

2-68 (1) a current or former peace officer as defined by
2-69 Article 2.12, Code of Criminal Procedure;

- 3-1 (2) a county jailer as defined by Section 1701.001,
 3-2 Occupations Code;
 3-3 (3) an employee of the Texas Department of Criminal
 3-4 Justice;
 3-5 (4) a commissioned security officer as defined by
 3-6 Section 1702.002, Occupations Code;
 3-7 (5) a victim of family violence as defined by Section
 3-8 71.004, Family Code, if as a result of the act of family violence
 3-9 against the victim, the actor is convicted of a felony or a Class A
 3-10 misdemeanor;
 3-11 (6) a federal judge, a state judge, or the spouse of a
 3-12 federal judge or state judge;
 3-13 (7) a current or former employee of a district
 3-14 attorney, criminal district attorney, or county or municipal
 3-15 attorney whose jurisdiction includes any criminal law or child
 3-16 protective services matters;
 3-17 (8) an officer or employee of a community supervision
 3-18 and corrections department established under Chapter 76,
 3-19 Government Code, who performs a duty described by Section 76.004(b)
 3-20 of that code;
 3-21 (9) a criminal investigator of the United States as
 3-22 described by Article 2.122(a), Code of Criminal Procedure;
 3-23 (10) a police officer or inspector of the United
 3-24 States Federal Protective Service;
 3-25 (11) a current or former United States attorney or
 3-26 assistant United States attorney and the spouse and child of the
 3-27 attorney;
 3-28 (12) a current or former employee of the office of the
 3-29 attorney general who is or was assigned to a division of that office
 3-30 the duties of which involve law enforcement;
 3-31 (13) a medical examiner or person who performs
 3-32 forensic analysis or testing who is employed by this state or one or
 3-33 more political subdivisions of this state;
 3-34 (14) a current or former member of the United States
 3-35 armed forces who has served in an area that the president of the
 3-36 United States by executive order designates for purposes of 26
 3-37 U.S.C. Section 112 as an area in which armed forces of the United
 3-38 States are or have engaged in combat;
 3-39 (15) a current or former employee of the Texas
 3-40 Juvenile Justice Department or of the predecessors in function of
 3-41 the department;
 3-42 (16) a current or former juvenile probation or
 3-43 supervision officer certified by the Texas Juvenile Justice
 3-44 Department, or the predecessors in function of the department,
 3-45 under Title 12, Human Resources Code; ~~and~~
 3-46 (17) a current or former employee of a juvenile
 3-47 justice program or facility, as those terms are defined by Section
 3-48 261.405, Family Code; and
 3-49 (18) a state officer elected statewide or a member of
 3-50 the legislature.

3-51 SECTION 5. The changes in law made by this Act to Sections
 3-52 552.117 and 552.1175, Government Code, and Section 25.025, Tax
 3-53 Code, apply only to a request for information that is received by a
 3-54 governmental body or an officer on or after the effective date of
 3-55 this Act. A request for information that was received before the
 3-56 effective date of this Act is governed by the law in effect on the
 3-57 date the request was received, and the former law is continued in
 3-58 effect for that purpose.

3-59 SECTION 6. This Act takes effect immediately if it receives
 3-60 a vote of two-thirds of all the members elected to each house, as
 3-61 provided by Section 39, Article III, Texas Constitution. If this
 3-62 Act does not receive the vote necessary for immediate effect, this
 3-63 Act takes effect September 1, 2017.

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