

## **BILL ANALYSIS**

Senate Research Center

H.B. 1351  
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Veteran Affairs & Border Security  
5/14/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, veteran information maintained, created, or received by the Texas Veterans Commission (TVC), which most would consider sensitive or would assume is protected, is at risk of public disclosure.

#### **PURPOSE**

H.B. 1351 would ensure confidentiality of certain information concerning service members of the United States armed forces, the state military forces and their families.

#### **BRIEF SUMMARY**

TVC's purpose has been to act as the state-appointed advocate of Texas veterans to secure the benefits rightfully earned in exchange for veterans' service in our nation's armed forces. TVC also maintains veterans' information in its supportive divisions, including Human Resources, Information Resources Section, Finance, and Training and Event Management—all of which maintain paper or electronic files, or both, on veterans. Interested parties have requested veteran information for the purposes of data mining, or to "target" veterans.

H.B. 1351 would extend Section 434.0205, Government Code, to apply to all veterans ensuring confidentiality around veteran efforts to TVC to receive services or participate in commission programs. Additionally, H.B. 1351 would protect information relating to the home address, home telephone number, emergency contact information, social security number, and whether a person has family members of an individual who serves a government body from the requirements of Section 552.021, Government Code.

This Act takes effect September 1, 2019.

H.B. 1351 amends current law relating to the confidentiality of certain information concerning service members of the United States armed forces and the state military forces.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 434, Government Code, by adding Section 434.0205, as follows:

Sec. 434.0205. CONFIDENTIALITY OF INFORMATION PROVIDED TO COMMISSION. Provides that any information provided by a person to the Texas Veterans Commission (TVC) to receive services or participate in TVC programs is confidential and not subject to disclosure under Chapter 552 (Public Information).

SECTION 2. Reenacts and amends Section 552.117(a), Government Code, as amended by Chapters 34 (S.B.1576), 190 (S.B. 42), and 1006 (H.B. 1278), Acts of the 85th Legislature, Regular Session, 2017, as follows:

(a) Provides that information is excepted from the requirements of Section 552.021 (Availability of Public Information) 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)–(10) makes no changes to these subdivisions;

(11) a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001 (Definitions), rather than a current or former member of the Texas military forces, as that term is defined by Section 437.001 (Definitions), and makes a nonsubstantive change;

(12)–(13) makes nonsubstantive changes to these subdivisions;

(14) creates this subdivision from former Subdivision (12), as amended by Chapter 34 (S.B. 1576), Acts of the 85th Legislature, Regular Session, 2017, and makes a nonsubstantive change; or

(15) creates this subdivision from former Subdivision (12), as amended by Chapter 190 (H.B. 42), Acts of the 85th Legislature, Regular Session, 2017, makes a nonsubstantive change, and deletes existing text of Subdivision (13), as amended by Chapter 190 (H.B. 42), Acts of the 85th Legislature, Regular Session, 2017, relating to a current or former district attorney, criminal district attorney, or county attorney jurisdiction including any criminal law or child protective services matter.

SECTION 3. Amends the heading to Section 552.1175, Government Code, to read as follows:

Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER OFFICIALS PERFORMING SENSITIVE GOVERNMENT FUNCTIONS.

SECTION 4. Amends Section 552.1175(a), Government Code, as follows:

(a) Provides that this section applies only to:

(1)–(12) makes no changes to these subdivisions;

(13)–(14) makes nonsubstantive changes to these subdivisions; and

(15) a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Provides that, to the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 7. Effective date: September 1, 2019.