

BILL ANALYSIS

C.S.H.B. 1655
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that restricted access to social security numbers and driver's license numbers leaves a date of birth as one of the few remaining publicly available identifiers that may ensure accurate identification of a person. There are concerns, however, that recent rulings have hindered access to dates of birth in public records and that this will adversely impact multiple entities across the state who use those dates to verify a person's identity for a variety of purposes. C.S.H.B. 1655 seeks to address these concerns by providing that state public information law does not authorize a governmental body to withhold a date of birth and by providing for certain exceptions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1655 amends the Government Code to establish that state public information law does not authorize a governmental body to withhold a date of birth except as permitted by the exception from that law protecting the confidentiality of certain personnel information or by the federal privacy requirements adopted under the Health Insurance Portability and Accountability Act of 1996, or as otherwise provided by constitutional or statutory law.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1655 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes withholding a date of birth as permitted by the federal privacy requirements adopted under the Health Insurance Portability and Accountability Act of 1996 among the circumstances under which a governmental body may withhold that information under state public information law.