

BILL ANALYSIS

H.B. 2828
By: King, Phil
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There have been calls to implement privacy protections for those who adopt a cat or dog from a municipal or county animal shelter to help prevent harassment or unwanted contact by someone attempting to reclaim a pet. H.B. 2828 seeks to make personally identifying information of such a person confidential and exempted from the public availability requirement of state public information law.

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

H.B. 2828 amends the Government Code to make confidential and excepted from the public availability requirement of state public information law information that relates to personally identifying information of a person who obtains ownership or control of an animal from a municipality or county making a humane disposition of the animal under a municipal ordinance or an order of the commissioners court. The bill authorizes a governmental body to disclose that information to a governmental entity, or to a person who under a contract with a governmental entity provides animal control services, animal registration services, or related services to the governmental entity, for purposes related to the protection of public health and safety. The bill requires a governmental entity or other person that receives such information for those purposes to maintain the confidentiality of the information and prohibits the entity or person from disclosing the information under state public information law or using the information for a purpose that does not directly relate to the protection of public health and safety. The bill establishes that a governmental body, by providing public information under the bill's provisions that is confidential or otherwise excepted from required disclosure under law, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right to assert exceptions to required disclosure of the information in the future.

EFFECTIVE DATE

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