By:  King of Parker, et al. (Senate Sponsor - Fallon) H.B. No. 2828

(In the Senate - Received from the House May 6, 2019; May 10, 2019, read first time and referred to Committee on Business & Commerce; May 20, 2019, reported favorably by the following vote: Yeas 8, Nays 0; May 20, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Hancock              X

Nichols              X

Campbell             X

Creighton                      X

Menéndez             X

Paxton               X

Schwertner           X

Whitmire             X

Zaffirini            X

A BILL TO BE ENTITLED

AN ACT

relating to the exception of certain information related to the humane disposition by a municipality or county of an animal from required disclosure under the public information law.

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

SECTION 1.  Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.1177 to read as follows:

Sec. 552.1177.  EXCEPTION: CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO HUMANE DISPOSITION OF ANIMAL. (a) Except as provided by Subsection (b), information is confidential and excepted from the requirements of Section 552.021 if the information relates to the name, address, telephone number, e-mail address, driver's license number, social security number, or other 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.

(b)  A governmental body may disclose information made confidential by Subsection (a) 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.

(c)  A governmental entity or other person that receives information under Subsection (b):

(1)  must maintain the confidentiality of the information;

(2)  may not disclose the information under this chapter; and

(3)  may not use the information for a purpose that does not directly relate to the protection of public health and safety.

(d)  A governmental body, by providing public information under Subsection (b) 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.

SECTION 2.  The change in law made by this Act applies to a request for information that is received by a governmental body or an officer for public information on or after the effective date of this Act.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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