By:  Deshotel, et al. (Senate Sponsor - Campbell) H.B. No. 3091

(In the Senate - Received from the House May 8, 2019; May 10, 2019, read first time and referred to Committee on Criminal Justice; May 19, 2019, reported favorably by the following vote: Yeas 6, Nays 0; May 19, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Whitmire        X

Huffman                   X

Buckingham      X

Flores          X

Hughes          X

Miles           X

Perry           X

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of and prohibiting disclosure of the location or physical layout of a family violence shelter center or victims of trafficking shelter center; creating a criminal offense.

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

SECTION 1.  Section 552.138, Government Code, is amended by amending Subsections (b) and (c) and adding Subsection (b-1) to read as follows:

(b)  Information maintained by a family violence shelter center, victims of trafficking shelter center, or sexual assault program is excepted from the requirements of Section 552.021 if it is information that relates to:

(1)  the home address, home telephone number, or social security number of an employee or a volunteer worker of a family violence shelter center, victims of trafficking shelter center, or sexual assault program, regardless of whether the employee or worker complies with Section 552.024;

(2)  [~~the location or physical layout of a family violence shelter center or victims of trafficking shelter center;~~

[~~(3)~~]  the name, home address, home telephone number, or numeric identifier of a current or former client of a family violence shelter center, victims of trafficking shelter center, or sexual assault program;

(3) [~~(4)~~]  the provision of services, including counseling and sheltering, to a current or former client of a family violence shelter center, victims of trafficking shelter center, or sexual assault program;

(4) [~~(5)~~]  the name, home address, or home telephone number of a private donor to a family violence shelter center, victims of trafficking shelter center, or sexual assault program; or

(5) [~~(6)~~]  the home address or home telephone number of a member of the board of directors or the board of trustees of a family violence shelter center, victims of trafficking shelter center, or sexual assault program, regardless of whether the board member complies with Section 552.024.

(b-1)  Information that relates to the location or physical layout of a family violence shelter center or victims of trafficking shelter center is confidential.

(c)  A governmental body may redact information maintained by a family violence shelter center, victims of trafficking shelter center, or sexual assault program that may be withheld under Subsection (b)(1) or (5) or that is confidential under Subsection (b-1) [~~(6)~~] from any information the governmental body discloses under Section 552.021 without the necessity of requesting a decision from the attorney general under Subchapter G.

SECTION 2.  Chapter 42, Penal Code, is amended by adding Section 42.075 to read as follows:

Sec. 42.075.  DISCLOSURE OF CONFIDENTIAL INFORMATION REGARDING FAMILY VIOLENCE OR VICTIMS OF TRAFFICKING SHELTER CENTER. (a) In this section, "family violence shelter center" and "victims of trafficking shelter center" have the meanings assigned by Section 552.138, Government Code.

(b)  A person commits an offense if the person, with the intent to threaten the safety of any inhabitant of a family violence shelter center or victims of trafficking shelter center, discloses or publicizes the location or physical layout of the center.

(c)  An offense under this section is a Class A misdemeanor.

(d)  If conduct constituting an offense under this section also constitutes an offense under Section 552.352, Government Code, the actor may be prosecuted under either section.

SECTION 3.  The change in law made by this Act applies only to a request for public information received on or after the effective date of this Act. A request received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

SECTION 4.  This Act takes effect September 1, 2019.

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