86R14552 TJB-D

By:  Hinojosa S.B. No. 2192

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of the recording of certain emergency calls.

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

SECTION 1.  Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.157 to read as follows:

Sec. 552.157.  EXCEPTION: CONFIDENTIALITY OF RECORDING OF CERTAIN EMERGENCY CALLS. (a) A recording of an emergency call made to a public safety agency or a public safety answering point, as those terms are defined by Section 772.001, Health and Safety Code, that contains the final words spoken by an individual is confidential.

(b)  A governmental body shall disclose information that is confidential under this section and that is not confidential or otherwise excepted from required disclosure under another provision of law to a requestor who:

(1)  is an investigator licensed under Chapter 1702, Occupations Code, who certifies that the information will only be used in conjunction with a civil, criminal, administrative, or arbitral proceeding in a court or government agency, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgment or order, or under any order of any court; or

(2)  is a first responder as defined by Section 421.095.

(c)  A governmental body may withhold a recording described by Subsection (a) without the necessity of requesting a decision from the attorney general under Subchapter G.

SECTION 2.  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.