

1-1 By: Cortez, Davis of Dallas H.B. No. 1351
1-2 (Senate Sponsor - Menéndez)
1-3 (In the Senate - Received from the House May 6, 2019;
1-4 May 7, 2019, read first time and referred to Committee on Veteran
1-5 Affairs & Border Security; May 17, 2019, reported favorably by the
1-6 following vote: Yeas 6, Nays 0; May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9 Campbell	X			
1-10 Hall	X			
1-11 Johnson	X			
1-12 Lucio			X	
1-13 Menéndez	X			
1-14 Schwertner	X			
1-15 Seliger	X			

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to the confidentiality of certain information concerning
1-19 service members of the United States armed forces and the state
1-20 military forces.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter A, Chapter 434, Government Code, is
1-23 amended by adding Section 434.0205 to read as follows:

1-24 Sec. 434.0205. CONFIDENTIALITY OF INFORMATION PROVIDED TO
1-25 COMMISSION. Any information provided by a person to the commission
1-26 to receive services or participate in commission programs is
1-27 confidential and not subject to disclosure under Chapter 552.

1-28 SECTION 2. Section 552.117(a), Government Code, as amended
1-29 by Chapters 34 (S.B. 1576), 190 (S.B. 42), and 1006 (H.B. 1278),
1-30 Acts of the 85th Legislature, Regular Session, 2017, is reenacted
1-31 and amended to read as follows:

1-32 (a) Information is excepted from the requirements of
1-33 Section 552.021 if it is information that relates to the home
1-34 address, home telephone number, emergency contact information, or
1-35 social security number of the following person or that reveals
1-36 whether the person has family members:

1-37 (1) a current or former official or employee of a
1-38 governmental body, except as otherwise provided by Section 552.024;

1-39 (2) a peace officer as defined by Article 2.12, Code of
1-40 Criminal Procedure, or a security officer commissioned under
1-41 Section 51.212, Education Code, regardless of whether the officer
1-42 complies with Section 552.024 or 552.1175, as applicable;

1-43 (3) a current or former employee of the Texas
1-44 Department of Criminal Justice or of the predecessor in function of
1-45 the department or any division of the department, regardless of
1-46 whether the current or former employee complies with Section
1-47 552.1175;

1-48 (4) a peace officer as defined by Article 2.12, Code of
1-49 Criminal Procedure, or other law, a reserve law enforcement
1-50 officer, a commissioned deputy game warden, or a corrections
1-51 officer in a municipal, county, or state penal institution in this
1-52 state who was killed in the line of duty, regardless of whether the
1-53 deceased complied with Section 552.024 or 552.1175;

1-54 (5) a commissioned security officer as defined by
1-55 Section 1702.002, Occupations Code, regardless of whether the
1-56 officer complies with Section 552.024 or 552.1175, as applicable;

1-57 (6) an officer or employee of a community supervision
1-58 and corrections department established under Chapter 76 who
1-59 performs a duty described by Section 76.004(b), regardless of
1-60 whether the officer or employee complies with Section 552.024 or
1-61 552.1175;

(7) a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

(8) a current or former employee of the Texas Juvenile Justice Department or of the predecessors in function of the department, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

(9) a current or former juvenile probation or supervision officer certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code, regardless of whether the current or former officer complies with Section 552.024 or 552.1175;

(10) a current or former employee of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

(11) a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001; [or]

(12) a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters, regardless of whether the current or former attorney complies with Section 552.024 or 552.1175; ~~[or]~~

(13) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

~~(14) [(12)]~~ a current or former employee of the Texas Civil Commitment Office or of the predecessor in function of the office or a division of the office, regardless of whether the current or former employee complies with Section 552.024 or 552.1175; or

~~(15) [(12)]~~ a current or former federal judge or state judge, as those terms are defined by Section 13.0021(a), Election Code, or a spouse of a current or former federal judge or state judge; ~~or~~

~~[(13)] a current or former district attorney, criminal district attorney, or county attorney whose jurisdiction includes any criminal law or child protective services matter].~~

SECTION 3. The heading to Section 552.1175, Government Code, is amended to read as follows:

Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS [, COUNTY JAILERS, SECURITY OFFICERS, EMPLOYEES OF CERTAIN STATE AGENCIES OR CERTAIN CRIMINAL OR JUVENILE JUSTICE AGENCIES OR OFFICES, AND FEDERAL AND STATE JUDGES] .

SECTION 4. Section 552.1175(a), Government Code, is amended to read as follows:

(a) This section applies only to:

(1) peace officers as defined by Article 2.12, Code of Criminal Procedure;

(2) county jailers as defined by Section 1701.001, Occupations Code;

(3) current or former employees of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department;

(4) commissioned security officers as defined by Section 1702.002, Occupations Code;

(5) a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(5-a) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(6) officers and employees of a community supervision and corrections department established under Chapter 76 who perform a duty described by Section 76.004(b);

(7) criminal investigators of the United States as described by Article 2.122(a), Code of Criminal Procedure;

(8) police officers and inspectors of the United States Federal Protective Service;

(9) current and former employees of the office of the attorney general who are or were assigned to a division of that office the duties of which involve law enforcement;

(10) current or former juvenile probation and detention officers certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code;

(11) current or former employees of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code;

(12) current or former employees of the Texas Juvenile Justice Department or the predecessors in function of the department;

(13) federal judges and state judges as defined by Section 13.0021, Election Code; ~~and~~

(14) current or former employees of the Texas Civil Commitment Office or of the predecessor in function of the office or a division of the office; and

(15) a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001.

SECTION 5. The changes in law made by this Act apply only to a request for information that is received by a governmental body or an officer on or after the effective date of this Act. A request for information that was 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 6. To the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 7. This Act takes effect September 1, 2019.

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