

By: Deshotel

H.B. No. 3091

Substitute the following for H.B. No. 3091:

By: Pacheco

C.S.H.B. No. 3091

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the confidentiality of and prohibiting disclosure of
3 the location or physical layout of a family violence shelter center
4 or victims of trafficking shelter center; creating a criminal
5 offense.

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

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

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

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

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

21 [~~3~~] the name, home address, home telephone number,
22 or numeric identifier of a current or former client of a family
23 violence shelter center, victims of trafficking shelter center, or
24 sexual assault program;

1 (3) [~~(4)~~] the provision of services, including
2 counseling and sheltering, to a current or former client of a family
3 violence shelter center, victims of trafficking shelter center, or
4 sexual assault program;

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

9 (5) [~~(6)~~] the home address or home telephone number of
10 a member of the board of directors or the board of trustees of a
11 family violence shelter center, victims of trafficking shelter
12 center, or sexual assault program, regardless of whether the board
13 member complies with Section 552.024.

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

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

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

26 Sec. 42.075. DISCLOSURE OF CONFIDENTIAL INFORMATION
27 REGARDING FAMILY VIOLENCE OR VICTIMS OF TRAFFICKING SHELTER CENTER.

1 (a) In this section, "family violence shelter center" and "victims
2 of trafficking shelter center" have the meanings assigned by
3 Section 552.138, Government Code.

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

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

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

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

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