

1-1 By: Campbell S.B. No. 662
1-2 (In the Senate - Filed February 5, 2019; March 1, 2019, read
1-3 first time and referred to Committee on Business & Commerce;
1-4 April 15, 2019, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 15, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the availability of personal information of a statewide
1-20 elected official or member of the legislature.

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

1-22 SECTION 1. Section 552.117(a), Government Code, as amended
1-23 by Chapters 34 (S.B. 1576), 190 (S.B. 42), and 1006 (H.B. 1278),
1-24 Acts of the 85th Legislature, Regular Session, 2017, is reenacted
1-25 and amended to read as follows:

1-26 (a) Information is excepted from the requirements of
1-27 Section 552.021 if it is information that relates to the home
1-28 address, home telephone number, emergency contact information, or
1-29 social security number of the following person or that reveals
1-30 whether the person has family members:

1-31 (1) a current or former official or employee of a
1-32 governmental body, except as otherwise provided by Section 552.024;

1-33 (2) a peace officer as defined by Article 2.12, Code of
1-34 Criminal Procedure, or a security officer commissioned under
1-35 Section 51.212, Education Code, regardless of whether the officer
1-36 complies with Section 552.024 or 552.1175, as applicable;

1-37 (3) a current or former employee of the Texas
1-38 Department of Criminal Justice or of the predecessor in function of
1-39 the department or any division of the department, regardless of
1-40 whether the current or former employee complies with Section
1-41 552.1175;

1-42 (4) a peace officer as defined by Article 2.12, Code of
1-43 Criminal Procedure, or other law, a reserve law enforcement
1-44 officer, a commissioned deputy game warden, or a corrections
1-45 officer in a municipal, county, or state penal institution in this
1-46 state who was killed in the line of duty, regardless of whether the
1-47 deceased complied with Section 552.024 or 552.1175;

1-48 (5) a commissioned security officer as defined by
1-49 Section 1702.002, Occupations Code, regardless of whether the
1-50 officer complies with Section 552.024 or 552.1175, as applicable;

1-51 (6) an officer or employee of a community supervision
1-52 and corrections department established under Chapter 76 who
1-53 performs a duty described by Section 76.004(b), regardless of
1-54 whether the officer or employee complies with Section 552.024 or
1-55 552.1175;

1-56 (7) a current or former employee of the office of the
1-57 attorney general who is or was assigned to a division of that office
1-58 the duties of which involve law enforcement, regardless of whether
1-59 the current or former employee complies with Section 552.024 or
1-60 552.1175;

1-61 (8) a current or former employee of the Texas Juvenile
1-62 Justice Department or of the predecessors in function of the
1-63 department, regardless of whether the current or former employee
1-64 complies with Section 552.024 or 552.1175;

2-1 (9) a current or former juvenile probation or
 2-2 supervision officer certified by the Texas Juvenile Justice
 2-3 Department, or the predecessors in function of the department,
 2-4 under Title 12, Human Resources Code, regardless of whether the
 2-5 current or former officer complies with Section 552.024 or
 2-6 552.1175;

2-7 (10) a current or former employee of a juvenile
 2-8 justice program or facility, as those terms are defined by Section
 2-9 261.405, Family Code, regardless of whether the current or former
 2-10 employee complies with Section 552.024 or 552.1175;

2-11 (11) a current or former member of the Texas military
 2-12 forces, as that term is defined by Section 437.001;

2-13 (12) a current or former district attorney, criminal
 2-14 district attorney, or county or municipal attorney whose
 2-15 jurisdiction includes any criminal law or child protective services
 2-16 matters, regardless of whether the current or former attorney
 2-17 complies with Section 552.024 or 552.1175; ~~or~~

2-18 (13) a current or former employee of a district
 2-19 attorney, criminal district attorney, or county or municipal
 2-20 attorney whose jurisdiction includes any criminal law or child
 2-21 protective services matters, regardless of whether the current or
 2-22 former employee complies with Section 552.024 or 552.1175;

2-23 (14) ~~(12)~~ a current or former employee of the Texas
 2-24 Civil Commitment Office or of the predecessor in function of the
 2-25 office or a division of the office, regardless of whether the
 2-26 current or former employee complies with Section 552.024 or
 2-27 552.1175;

2-28 (15) ~~(12)~~ a current or former federal judge or state
 2-29 judge, as those terms are defined by Section 13.0021(a), Election
 2-30 Code, or a spouse of a current or former federal judge or state
 2-31 judge; or

2-32 (16) a state officer elected statewide or a member of
 2-33 the legislature, regardless of whether the officer or member
 2-34 complies with Section 552.024 or 552.1175 ~~[(13) a current or~~
 2-35 ~~former district attorney, criminal district attorney, or county~~
 2-36 ~~attorney whose jurisdiction includes any criminal law or child~~
 2-37 ~~protective services matter].~~

2-38 SECTION 2. The heading to Section 552.1175, Government
 2-39 Code, is amended to read as follows:

2-40 Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN
 2-41 PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER
 2-42 OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS ~~[, COUNTY~~
 2-43 ~~JAILERS, SECURITY OFFICERS, EMPLOYEES OF CERTAIN STATE AGENCIES OR~~
 2-44 ~~CERTAIN CRIMINAL OR JUVENILE JUSTICE AGENCIES OR OFFICES, AND~~
 2-45 ~~FEDERAL AND STATE JUDGES].~~

2-46 SECTION 3. Section 552.1175(a), Government Code, is amended
 2-47 to read as follows:

2-48 (a) This section applies only to:

2-49 (1) peace officers as defined by Article 2.12, Code of
 2-50 Criminal Procedure;

2-51 (2) county jailers as defined by Section 1701.001,
 2-52 Occupations Code;

2-53 (3) current or former employees of the Texas
 2-54 Department of Criminal Justice or of the predecessor in function of
 2-55 the department or any division of the department;

2-56 (4) commissioned security officers as defined by
 2-57 Section 1702.002, Occupations Code;

2-58 (5) a current or former district attorney, criminal
 2-59 district attorney, or county or municipal attorney whose
 2-60 jurisdiction includes any criminal law or child protective services
 2-61 matters;

2-62 (5-a) a current or former employee of a district
 2-63 attorney, criminal district attorney, or county or municipal
 2-64 attorney whose jurisdiction includes any criminal law or child
 2-65 protective services matters;

2-66 (6) officers and employees of a community supervision
 2-67 and corrections department established under Chapter 76 who perform
 2-68 a duty described by Section 76.004(b);

2-69 (7) criminal investigators of the United States as
 2-70 described by Article 2.122(a), Code of Criminal Procedure;

2-71 (8) police officers and inspectors of the United

3-1 States Federal Protective Service;

3-2 (9) current and former employees of the office of the

3-3 attorney general who are or were assigned to a division of that

3-4 office the duties of which involve law enforcement;

3-5 (10) current or former juvenile probation and

3-6 detention officers certified by the Texas Juvenile Justice

3-7 Department, or the predecessors in function of the department,

3-8 under Title 12, Human Resources Code;

3-9 (11) current or former employees of a juvenile justice

3-10 program or facility, as those terms are defined by Section 261.405,

3-11 Family Code;

3-12 (12) current or former employees of the Texas Juvenile

3-13 Justice Department or the predecessors in function of the

3-14 department;

3-15 (13) federal judges and state judges as defined by

3-16 Section 13.0021, Election Code; ~~and~~

3-17 (14) current or former employees of the Texas Civil

3-18 Commitment Office or of the predecessor in function of the office or

3-19 a division of the office; and

3-20 (15) state officers elected statewide and members of

3-21 the legislature.

3-22 SECTION 4. Section 25.025(a), Tax Code, as amended by

3-23 Chapters 34 (S.B. 1576), 41 (S.B. 256), 193 (S.B. 510), 1006 (H.B.

3-24 1278), and 1145 (H.B. 457), Acts of the 85th Legislature, Regular

3-25 Session, 2017, is reenacted and amended to read as follows:

3-26 (a) This section applies only to:

3-27 (1) a current or former peace officer as defined by

3-28 Article 2.12, Code of Criminal Procedure, and the spouse or

3-29 surviving spouse of the peace officer;

3-30 (2) the adult child of a current peace officer as

3-31 defined by Article 2.12, Code of Criminal Procedure;

3-32 (3) a county jailer as defined by Section 1701.001,

3-33 Occupations Code;

3-34 (4) an employee of the Texas Department of Criminal

3-35 Justice;

3-36 (5) a commissioned security officer as defined by

3-37 Section 1702.002, Occupations Code;

3-38 (6) an individual who shows that the individual, the

3-39 individual's child, or another person in the individual's household

3-40 is a victim of family violence as defined by Section 71.004, Family

3-41 Code, by providing:

3-42 (A) a copy of a protective order issued under

3-43 Chapter 85, Family Code, or a magistrate's order for emergency

3-44 protection issued under Article 17.292, Code of Criminal Procedure;

3-45 or

3-46 (B) other independent documentary evidence

3-47 necessary to show that the individual, the individual's child, or

3-48 another person in the individual's household is a victim of family

3-49 violence;

3-50 (7) ~~(6)~~ an individual who shows that the individual,

3-51 the individual's child, or another person in the individual's

3-52 household is a victim of sexual assault or abuse, stalking, or

3-53 trafficking of persons by providing:

3-54 (A) a copy of a protective order issued under

3-55 Chapter 7A or Article 6.09, Code of Criminal Procedure, or a

3-56 magistrate's order for emergency protection issued under Article

3-57 17.292, Code of Criminal Procedure; or

3-58 (B) other independent documentary evidence

3-59 necessary to show that the individual, the individual's child, or

3-60 another person in the individual's household is a victim of sexual

3-61 assault or abuse, stalking, or trafficking of persons;

3-62 (8) ~~(7)~~ a participant in the address

3-63 confidentiality program administered by the attorney general under

3-64 Subchapter C, Chapter 56, Code of Criminal Procedure, who provides

3-65 proof of certification under Article 56.84, Code of Criminal

3-66 Procedure;

3-67 (9) ~~(8)~~ a federal judge, a state judge, or the

3-68 spouse of a federal judge or state judge;

3-69 (10) a current or former district attorney, criminal

3-70 district attorney, or county or municipal attorney whose

3-71 jurisdiction includes any criminal law or child protective services

4-1 matters;

4-2 (11) [~~(9)~~] a current or former employee of a district

4-3 attorney, criminal district attorney, or county or municipal

4-4 attorney whose jurisdiction includes any criminal law or child

4-5 protective services matters;

4-6 (12) [~~(10)~~] an officer or employee of a community

4-7 supervision and corrections department established under Chapter

4-8 76, Government Code, who performs a duty described by Section

4-9 76.004(b) of that code;

4-10 (13) [~~(11)~~] a criminal investigator of the United

4-11 States as described by Article 2.122(a), Code of Criminal

4-12 Procedure;

4-13 (14) [~~(12)~~] a police officer or inspector of the

4-14 United States Federal Protective Service;

4-15 (15) [~~(13)~~] a current or former United States attorney

4-16 or assistant United States attorney and the spouse and child of the

4-17 attorney;

4-18 (16) [~~(14)~~] a current or former employee of the office

4-19 of the attorney general who is or was assigned to a division of that

4-20 office the duties of which involve law enforcement;

4-21 (17) [~~(15)~~] a medical examiner or person who performs

4-22 forensic analysis or testing who is employed by this state or one or

4-23 more political subdivisions of this state;

4-24 (18) [~~(16)~~] a current or former member of the United

4-25 States armed forces who has served in an area that the president of

4-26 the United States by executive order designates for purposes of 26

4-27 U.S.C. Section 112 as an area in which armed forces of the United

4-28 States are or have engaged in combat;

4-29 (19) [~~(17)~~] a current or former employee of the Texas

4-30 Juvenile Justice Department or of the predecessors in function of

4-31 the department;

4-32 (20) [~~(18)~~] a current or former juvenile probation or

4-33 supervision officer certified by the Texas Juvenile Justice

4-34 Department, or the predecessors in function of the department,

4-35 under Title 12, Human Resources Code;

4-36 (21) [~~(19)~~] a current or former employee of a juvenile

4-37 justice program or facility, as those terms are defined by Section

4-38 261.405, Family Code; ~~and~~

4-39 (22) [~~(18)~~] a current or former employee of the Texas

4-40 Civil Commitment Office or of the predecessor in function of the

4-41 office or a division of the office;

4-42 (23) [~~(18)~~] a current or former employee of a federal

4-43 judge or state judge; and

4-44 (24) a state officer elected statewide or a member of

4-45 the legislature.

4-46 SECTION 5. The changes in law made by this Act to Sections

4-47 552.117 and 552.1175, Government Code, and Section 25.025, Tax

4-48 Code, apply only to a request for information that is received by a

4-49 governmental body or an officer on or after the effective date of

4-50 this Act. A request for information that was received before the

4-51 effective date of this Act is governed by the law in effect on the

4-52 date the request was received, and the former law is continued in

4-53 effect for that purpose.

4-54 SECTION 6. To the extent of any conflict, this Act prevails

4-55 over another Act of the 86th Legislature, Regular Session, 2019,

4-56 relating to nonsubstantive additions to and corrections in enacted

4-57 codes.

4-58 SECTION 7. This Act takes effect immediately if it receives

4-59 a vote of two-thirds of all the members elected to each house, as

4-60 provided by Section 39, Article III, Texas Constitution. If this

4-61 Act does not receive the vote necessary for immediate effect, this

4-62 Act takes effect September 1, 2019.

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