

BILL ANALYSIS

Senate Research Center
87R2833 TJB-D

H.B. 1082
By: King, Phil et al. (Zaffirini)
State Affairs
4/28/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, only statewide elected officers and members of the legislature can elect to withhold certain personal information from public disclosure, including their home address. Local officials, however, are not afforded these privacy protections.

H.B. 1082 would reduce harassment of local elected officials by ensuring their privacy is protected. It would enhance security for them by preserving their confidentiality in the same manner as state officials.

H.B. 1082 amends current law relating to the availability of personal information of an elected public officer.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts Section 552.117(a), Government Code, as reenacted and amended by Chapters 367 (H.B. 1351), 633 (S.B. 1494), 1146 (H.B. 2910), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature, Regular Session, 2019, and amends it as follows:

(a) Provides that information is excepted from the requirements of Section 552.021 (Availability of Public Information) if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of certain persons or that reveals whether the person has family members, including an elected public officer, rather than a state officer elected statewide or a member of the legislature, regardless of whether the officer complies with Section 552.024 (Electing to Disclose Address and Telephone Number) or 552.1175 (Exception: Confidentiality of Certain Personal Identifying Information of Peace Officers and Other Officials Performing Sensitive Governmental Functions). Makes nonsubstantive changes.

SECTION 2. Reenacts Section 552.1175(a), Government Code, as amended by Chapters 367 (H.B. 1351), 633 (S.B. 1494), 1146 (H.B. 2910), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature, Regular Session, 2019, and amends it as follows:

(a) Provides that Section 552.024 applies only to certain officials, including an elected public officer. Deletes existing text providing that Section 552.024 applies to state officers elected statewide and members of the legislature. Makes nonsubstantive changes.

SECTION 3. Reenacts Section 25.025(a), Tax Code, as amended by Chapters 467 (H.B. 4170), 469 (H.B. 4173), 633 (S.B. 1494), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature, Regular Session, 2019, and amends it as follows:

(a) Provides that Section 25.025 (Confidentiality of Certain Home Address Information) applies only to certain officials, including an elected public officer, rather than a state officer elected statewide or a member of the legislature. Makes nonsubstantive changes.

SECTION 4. Makes application of Sections 552.117 and 552.1175, Government Code, as reenacted and amended by this Act, and Section 25.025, Tax Code, as reenacted and amended by this Act, prospective.

SECTION 5. Provides that to the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 6. Effective date: upon passage or September 1, 2021.