By:  Reynolds (Senate Sponsor - Miles) H.B. No. 2357

(In the Senate - Received from the House May 12, 2021; May 17, 2021, read first time and referred to Committee on Criminal Justice; May 22, 2021, reported favorably by the following vote: Yeas 7, Nays 0; May 22, 2021, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Whitmire        X

Huffman         X

Bettencourt     X

Birdwell        X

Hinojosa        X

Miles           X

Nichols         X

A BILL TO BE ENTITLED

AN ACT

relating to an exception from required disclosure of information related to certain crime victims.

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

SECTION 1.  Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.1315 to read as follows:

Sec. 552.1315.  EXCEPTION: CONFIDENTIALITY OF CERTAIN CRIME VICTIM RECORDS. (a) Information is confidential and excepted from the requirements of Section 552.021 if the information identifies an individual as:

(1)  a victim of:

(A)  an offense under Section 20A.02, 20A.03, 21.02, 21.11, 22.011, 22.021, 43.05, or 43.25, Penal Code; or

(B)  an offense that is part of the same criminal episode, as defined by Section 3.01, Penal Code, as an offense described by Paragraph (A); or

(2)  a victim of any criminal offense, if the victim was younger than 18 years of age when any element of the offense was committed.

(b)  Notwithstanding Subsection (a), information under this section may be disclosed:

(1)  to any victim identified by the information, or to the parent or guardian of a victim described by Subsection (a)(2) who is identified by the information;

(2)  to a law enforcement agency for investigative purposes; or

(3)  in accordance with a court order requiring the disclosure.

SECTION 2.  The change in law made by this Act applies to a request for information that is received by a governmental body or an officer for public information 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 3.  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, 2021.

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