87R15363 MLH-D

By:  Harless, Huberty, Howard, Allison, H.B. No. 3256

     Bell of Kaufman

Substitute the following for H.B. No. 3256:

By:  Dutton C.S.H.B. No. 3256

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of a full-time public school employee's home or residence address in certain government records and documents.

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

SECTION 1.  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, is reenacted and amended to read as follows:

(a)  This section applies only to:

(1)  a current or former peace officer as defined by Article 2.12, Code of Criminal Procedure, and the spouse or surviving spouse of the peace officer;

(2)  the adult child of a current peace officer as defined by Article 2.12, Code of Criminal Procedure;

(3)  a county jailer as defined by Section 1701.001, Occupations Code;

(4)  an employee of the Texas Department of Criminal Justice;

(5)  a commissioned security officer as defined by Section 1702.002, Occupations Code;

(6)  an individual who shows that the individual, the individual's child, or another person in the individual's household is a victim of family violence as defined by Section 71.004, Family Code, by providing:

(A)  a copy of a protective order issued under Chapter 85, Family Code, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the individual, the individual's child, or another person in the individual's household is a victim of family violence;

(7)  an individual who shows that the individual, the individual's child, or another person in the individual's household is a victim of sexual assault or abuse, stalking, or trafficking of persons by providing:

(A)  a copy of a protective order issued under Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the individual, the individual's child, or another person in the individual's household is a victim of sexual assault or abuse, stalking, or trafficking of persons;

(8)  a participant in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, who provides proof of certification under Article 58.059, Code of Criminal Procedure;

(9)  a federal judge, a state judge, or the spouse of a federal judge or state judge;

(10)  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;

(11)  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;

(12)  an officer or employee of a community supervision and corrections department established under Chapter 76, Government Code, who performs a duty described by Section 76.004(b) of that code;

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

(14)  a police officer or inspector of the United States Federal Protective Service;

(15)  a current or former United States attorney or assistant United States attorney and the spouse and child of the attorney;

(16)  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;

(17)  a medical examiner or person who performs forensic analysis or testing who is employed by this state or one or more political subdivisions of this state;

(18)  a current or former member of the United States armed forces who has served in an area that the president of the United States by executive order designates for purposes of 26 U.S.C. Section 112 as an area in which armed forces of the United States are or have engaged in combat;

(19)  a current or former employee of the Texas Juvenile Justice Department or of the predecessors in function of the department;

(20)  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;

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

(22)  a current or former employee of the Texas Civil Commitment Office or the predecessor in function of the office or a division of the office; [~~and~~]

(23)  a current or former employee of a federal judge or state judge;

(24)  a current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services or a current or former employee of a department contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of the department; [~~and~~]

(25) [~~(24)~~]  a state officer elected statewide or a member of the legislature;

(26) [~~(24)~~]  a firefighter or volunteer firefighter or emergency medical services personnel as defined by Section 773.003, Health and Safety Code; and

(27)  a full-time employee of a public school.

SECTION 2.  Section 521.121, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d)  The department shall establish a procedure, on a showing of a license holder's full-time employment at a public school, to omit the residence address of the license holder on the license holder's license and to include, in lieu of that address, the street address of the public school.

SECTION 3.  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 4.  This Act takes effect September 1, 2021.