87R11609 TJB-F

By:  Howard H.B. No. 4340

A BILL TO BE ENTITLED

AN ACT

relating to a special right of access to certain public information by an individual who is a victim of a crime.

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

SECTION 1.  Subchapter B, Chapter 552, Government Code, is amended by adding Section 552.0235 to read as follows:

Sec. 552.0235.  SPECIAL RIGHT OF ACCESS BY CRIME VICTIM. (a) Notwithstanding any other law, and except as provided by Subsection (b), an individual who is a victim of a crime has a special right of access, beyond the right of the public, to information held by a governmental body related to the detection, investigation, and prosecution of that crime, including information that is confidential under law. A governmental body on request by the individual shall provide the information to the individual for inspection or duplication in accordance with this chapter.

(b)  A governmental body shall redact from any information provided under this section information that would identify the alleged or actual perpetrator of the crime, including the perpetrator's name, address, and social security number.

(c)  A governmental body, by providing information under this section that is confidential or otherwise excepted from required disclosure under law, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right to assert exceptions to required disclosure of the information in the future.

(d)  This section does not affect:

(1)  the right of an individual who is the victim of a crime to obtain information from a governmental body under other law;

(2)  the procedures under which the information is obtained under other law; or

(3)  the use that may be made of the information obtained under other law.

(e)  A release of information under Subsection (a) is not an offense under Section 552.352.

SECTION 2.  The changes in law made by this Act apply only to a request for public information received by a governmental body or officer for public information on or after the effective date of this Act.

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