

By: Reynolds

H.B. No. 2357

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;

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

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

5           SECTION 2. The change in law made by this Act applies to a  
6 request for information that is received by a governmental body or  
7 an officer for public information on or after the effective date of  
8 this Act. A request for information that was received before the  
9 effective date of this Act is governed by the law in effect on the  
10 date the request was received, and the former law is continued in  
11 effect for that purpose.

12           SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2021.