

By: Howard

H.B. No. 4340

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a special right of access to certain public information  
3 by an individual who is a victim of a crime.

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

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

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

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

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

1 of the information in the future.

2 (d) This section does not affect:

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

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

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

10 (e) A release of information under Subsection (a) is not an  
11 offense under Section [552.352](#).

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

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