

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Reynolds

H.B. No. 2357

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to an exception from required disclosure of information  
3 related to certain crime victims.

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

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

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

11 (1) a victim of:

12 (A) an offense under Section 20A.02, 20A.03,  
13 21.02, 21.11, 22.011, 22.021, 43.05, or 43.25, Penal Code; or

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

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

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


22 (1) to any victim identified by the information, or to  
23 the parent or guardian of a victim described by Subsection (a)(2)  
24 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.

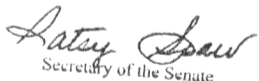
Amendment NO. 1

BY: 

1 Amend H.B. 2357 (senate committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_ . Section 11, Article 49.25, Code of Criminal  
5 Procedure, is amended by adding Subsection (c) to read as  
6 follows:

7 (c) The medical examiner may release a copy of an autopsy  
8 report of a deceased person to any organ and tissue procurement  
9 organization, hospital, or other covered entity as defined by  
10 Section 181.001, Health and Safety Code, that treated the  
11 deceased person before death or procured any anatomical gift  
12 from the body of the deceased person. The release of a report  
13 under this subsection is not considered a disclosure under  
14 Chapter 552, Government Code. A report obtained under this  
15 subsection is confidential and not subject to disclosure under  
16 Chapter 552, Government Code.

**ADOPTED**  
✓✓  
MAY 26 2021  
  
Secretary of the Senate

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 27, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2357** by Reynolds (Relating to an exception from required disclosure of information related to certain crime victims.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

It is assumed that the costs associated with the bill's provisions relating to an exception from required disclosure of information related to certain crime victims could be absorbed using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 405 Department of Public Safety

**LBB Staff:** JMc, CMA, DKN, KFB, NA, AF

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 20, 2021**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2357** by Reynolds (Relating to an exception from required disclosure of information related to certain crime victims.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

It is assumed that the costs associated with the bill's provisions relating to an exception from required disclosure of information related to certain crime victims could be absorbed using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 405 Department of Public Safety

**LBB Staff:** JMc, DKN, KFB, NA, AF

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 11, 2021**

**TO:** Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2357** by Reynolds (Relating to an exception from required disclosure of information related to certain crime victims.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

It is assumed that the costs associated with the bill's provisions relating to an exception from required disclosure of information related to certain crime victims could be absorbed using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 405 Department of Public Safety

**LBB Staff:** JMc, DKN, KFB, NA, AF