

BILL ANALYSIS

C.S.H.B. 158
By: Noble
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under state public information law, a public school district, as a teacher's employer, is permitted to withhold a teacher's personal information at the request of that teacher. The Texas Education Agency (TEA), however, does not have the authority to withhold this information when it receives a public information request because TEA is not the teacher's employer. As the repository for certified educators, TEA holds similar information regarding teachers as do the employing districts. C.S.H.B. 158 seeks to close this loophole that exposes Texas teachers to the disclosure of their personal information to the public.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 158 amends the Government Code to make confidential and except from the public availability requirement of state public information law any information maintained by the Texas Education Agency that reveals whether an educator has family members or that relates to an educator's home address, home telephone number, personal cell phone number, personal email address, driver's license number, emergency contact information, date of birth, or social security number.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 158 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes information that relates to an educator's personal cell phone number, personal email address, and driver's license number among the information made confidential and excepted from the public availability requirement, whereas the introduced did not.

The substitute changes the bill's effective date to provide for its possible immediate effect, contingent on receiving the requisite constitutional vote, whereas the introduced provided only for the bill to take effect September 1, 2023, with no possibility for immediate effect.