

BILL ANALYSIS

C.S.H.B. 3130
By: Guerra
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Council on Family Violence has suggested that the state could help reduce safety risks for survivors of family violence, sexual abuse, and trafficking by better protecting a survivor's identifying information. C.S.H.B. 3130 seeks to give survivors the ability to request occupational licensing agencies to stop providing their personal identifying information as part of public information requests.

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. 3130 amends the Government Code to prohibit a governmental body from selling or otherwise releasing any of the following information of a person who holds, previously held, or is an applicant for an occupational license issued by the governmental body if the person notifies the governmental body on a form provided by the Office of the Attorney General (OAG) or the governmental body that the person is a current or former client of a family violence shelter center, victims of trafficking shelter center, or sexual assault program or is a survivor of family violence, domestic violence, or sexual assault and chooses to restrict public access to the information:

- name and date of birth;
- home or business address;
- place of employment;
- telephone number;
- email address;
- social security number;
- driver's license or state identification number;
- passport number;
- emergency contact information; or
- numeric identifier.

The bill authorizes a governmental body to redact such information from a response to a request for a list or directory of license holders, former license holders, or license applicants without the necessity of requesting an attorney general decision. The bill requires the OAG, as soon as practicable, to prepare and make the form available on the attorney general's website and notify family violence shelter centers, victims of trafficking shelter centers, and sexual assault programs of the availability and purpose of the form.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3130 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.

Whereas both the substitute and the introduced extend the confidentiality protections to current or former clients of a family violence shelter center, victims of trafficking shelter center, or sexual assault program, the substitute further extends the protections to a survivor of family violence, domestic violence, or sexual assault, but the introduced did not.

The substitute, but not the introduced, requires the notification made on the form by the applicable person requesting restriction to personal identifying information to also indicate the person's status as a current or former client or as a survivor, as applicable.