

BILL ANALYSIS

Senate Research Center
88R900 BEF-F

S.B. 510
By: Perry
Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, most information about occupational license holders that is maintained by state licensing authorities can be publicly disclosed to any person that submits a public information request. The proposed legislation would allow state license holders the option to designate certain personal identifying information as confidential. A licensee would simply elect to exercise this confidentiality on a form created by the licensing agency.

As proposed, S.B. 510 amends current law relating to the confidentiality of certain information maintained by state licensing agencies.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 552.1176, Government Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Provides that information that relates to the home or business address, place of work, telephone number, rather than home telephone number, electronic mail address, social security number, date of birth, driver's license number or state identification number, passport number, emergency contact information, license application, criminal history record information obtained in connection with the issuance or renewal of a license, or payment information of a person licensed to practice law in this state that is maintained under Chapter 81 (State Bar) is confidential and is prohibited from being disclosed to the public under Chapter 552 (Public Information) if the person to whom the information relates:

(1)-(2) makes no changes to these subdivisions.

Makes nonsubstantive changes.

(d) Provides that Subsection (a) does not make confidential or except from required public disclosure the name, state bar identification number, membership class, or eligibility to practice law of an applicant for a license, a license holder, or a person who previously held a license.

SECTION 2. Amends Subchapter C, Chapter 552, Government Code, by adding Section 552.11765, as follows:

Sec. 552.11765. CONFIDENTIALITY OF CERTAIN INFORMATION MAINTAINED BY STATE LICENSING AUTHORITY. (a) Defines "license."

(b) Provides that the information maintained by a governmental body described by Section 552.003(1)(A)(i) (relating to the definition of "governmental body"

including certain types of state entities) is confidential and excepted from the requirements of Section 552.021 (Availability of Public Information) if:

(1) the information relates to the home or business address, place of work, telephone number, electronic mail address, social security number, date of birth, driver's license or state identification number, passport number, emergency contact information, license application, criminal history record information obtained in connection with the issuance or renewal of a license, or payment information of:

(A) an applicant for a license issued by the governmental body;

(B) a person who holds a license issued by the governmental body;
or

(C) a person who previously held a license issued by the governmental body; and

(2) the person to whom the information relates:

(A) chooses to restrict public access to the information; and

(B) notifies the governmental body of the person's choice, in writing or electronically, on a form provided by the governmental body.

(c) Provides that a choice made under Subsection (b)(2) remains valid until rescinded in writing or electronically by the person.

(d) Provides that Subsection (b) does not make confidential or except from required public disclosure the name, license number, or license status of an applicant for a license, a license holder, or a person who previously held a license.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2023.