

## **BILL ANALYSIS**

S.B. 1431  
By: Hinojosa  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In its legislative appropriations request submitted for the 2024-2025 biennium, the State Office of Administrative Hearings (SOAH) indicated that in a given year SOAH will hear an average of 25,000 cases on behalf of over 60 state agencies. Administrative law judges employed by SOAH are regularly called upon to make difficult and sensitive decisions that affect people's personal lives and livelihoods. Their cases can involve such personal and sensitive topics as child abuse and neglect, driver's license suspensions, child support enforcement, determinations of tax liability, educational rights, and the consequences of criminal conduct by state licensees.

Safety for those who adjudicate the law is a prerequisite for the fair administration of justice, and the proliferation of publicly available personal information regarding administrative law judges can threaten the personal security and safety of the judges and their families. State law already protects the home address and other personal information of current and former federal and state judges from public disclosure, but these protections do not extend to administrative law judges despite the similar risks that they face. This oversight leaves a gap that thwarts the purpose of protecting those who adjudicate the law.

S.B. 1431 seeks to remedy this situation by extending certain confidentiality protections to current and former SOAH administrative law judges.

### **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**

S.B. 1431 amends the Government Code to make the following exception to required disclosure under state public information law applicable also to a current or former administrative law judge for the State Office of Administrative Hearings (SOAH):

- the exception for information that relates to the person's home address, home telephone number, emergency contact, or social security number or that reveals whether the person has family members; and
- the exception for certain personal identifying information of peace officers and other officials performing sensitive governmental functions.

S.B. 1431 amends the Tax Code to extend also to a current or former administrative law judge for SOAH the confidentiality protections for certain home address information in local property tax appraisal records.

S.B. 1431 applies only to a request for information that is received by a governmental body or an officer on or after the bill's effective date. A request for information that was received before the bill's effective date is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

**EFFECTIVE DATE**

September 1, 2023.