

BILL ANALYSIS

Senate Research Center
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S.B. 1431
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1431 would protect the confidentiality of the home addresses of administrative law judges (ALJs) who preside over cases at the State Office of Administrative Hearings (SOAH). The bill is similar to those that have passed in each of the last several sessions to provide home address confidentiality for various types of public servants (e.g., peace officers, security officers, members of the armed forces, district attorneys, federal and state judges, and employees of the Texas Department of Criminal Justice, Texas Juvenile Justice Department, and Texas Department of Family and Protective Services) who work in jobs that place them at risk for threats of violence.

Texas 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. With an average of 25,000 cases per year on behalf of over 60 state agencies, SOAH judges 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. There have been several incidents where ALJs were stalked or "doxed" by participants in cases.

S.B. 1431 amends current law to include both current and former ALJs employed by SOAH in the categories of persons for whom the public disclosure of the home address, home telephone number, emergency contact information, social security number, and information revealing whether the person has family members is prohibited.

As proposed, S.B. 1431 amends current law relating to the confidentiality of certain information for a current or former administrative law judge for the State Office of Administrative Hearings.

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 552.117(a), Government Code, as follows:

(a) Provides that information is excepted from the requirements of Section 552.021 (Availability of Public Information) if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:

(1)-(17) makes no changes to these subdivisions;

(18)-(19) makes nonsubstantive changes to these subdivisions; or

(20) a current or former administrative law judge for the State Office of Administrative Hearings, regardless of whether the person complies with Section

552.024 (Electing to Disclose Address and Telephone Number) or 552.1175 (Exception: Confidentiality of Certain Personal Identifying Information of Peace Officers and Other Officials Performing Sensitive Governmental Functions).

SECTION 2. Amends Section 552.1175(a), Government Code, as follows:

(a) Provides that this section applies only to:

(1)-(17) makes no changes to these subdivisions;

(18)-(19) makes nonsubstantive changes to these subdivisions; and

(20) a current or former administrative law judge for the State Office of Administrative Hearings.

SECTION 3. Amends Section 25.025(a), Tax Code, as follows:

(a) Provides that Section 25.025 (Confidentiality of Certain Home Address Information) applies only to:

(1)-(24) makes no changes to these subdivisions;

(25)-(26) makes nonsubstantive changes to these subdivisions; and

(27) a current or former administrative law judge for the State Office of Administrative Hearings.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2023.