By:  Burns H.B. No. 1765

A BILL TO BE ENTITLED

AN ACT

relating to the redaction of certain information from a document posted on the Internet by a county clerk or district clerk on request of a person to whom the information relates or the judicial security division of the Office of Court Administration of the Texas Judicial System.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 552.117, Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b)  Except as provided by Subsection (b-1), all [~~All~~] documents filed with a county clerk and all documents filed with a district clerk are exempt from this section.

(b-1)  A county clerk or district clerk shall on request of a person to whom this section applies redact information described by Subsection (a) from the electronic image of a document posted by the clerk on an Internet website that relates to the person making the request if the clerk has the ability to electronically redact the information from the electronic image of the posted document. A county clerk or district clerk shall on request of the judicial security division of the Office of Court Administration of the Texas Judicial System redact information described by Subsection (a) in the manner and under the conditions prescribed by this subsection. A clerk that redacts an electronic image of a posted document under this subsection shall include on the website a statement advising members of the public that one or more documents posted on the website have been redacted as required by state law.

SECTION 2.  Section 552.1175, Government Code, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e)  Except as provided by Subsection (e-1), all [~~All~~] documents filed with a county clerk and all documents filed with a district clerk are exempt from this section.

(e-1)  A county clerk or district clerk shall on request of a person to whom this section applies redact information described by Subsection (b) from the electronic image of a document posted by the clerk on an Internet website that relates to the person making the request if the clerk has the ability to electronically redact the information from the electronic image of the posted document. A county clerk or district clerk shall on request of the judicial security division of the Office of Court Administration of the Texas Judicial System redact information described by Subsection (b) in the manner and under the conditions prescribed by this subsection. A clerk that redacts an electronic image of a posted document under this subsection shall include on the website a statement advising members of the public that one or more documents posted on the website have been redacted as required by state law.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.