By:  Perry S.B. No. 510

(In the Senate - Filed January 19, 2023; February 17, 2023, read first time and referred to Committee on Business & Commerce; April 6, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 11, Nays 0; April 6, 2023, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Schwertner           X

King                 X

Birdwell             X

Campbell             X

Creighton            X

Johnson              X

Kolkhorst            X

Menéndez             X

Middleton            X

Nichols              X

Zaffirini            X

COMMITTEE SUBSTITUTE FOR S.B. No. 510 By:  King

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of certain information maintained by state licensing agencies.

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

SECTION 1.  Section 552.1176, Government Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a)  Information maintained under Chapter 81 is confidential and may not be disclosed to the public under this chapter if the information:

(1)  is a license application; or

(2)  [~~that~~] relates to the home address, home telephone number, electronic mail address, social security number, [~~or~~] date of birth, driver's license number, state identification number, passport number, emergency contact information, or payment information of an individual [~~a person~~] licensed to practice law in this state [~~that is maintained under Chapter 81 is confidential and may not be disclosed to the public under this chapter if the person to whom the information relates:~~

[~~(1)  chooses to restrict public access to the information; and~~

[~~(2)  notifies the State Bar of Texas of the person's choice, in writing or electronically, on a form provided by the state bar~~].

(d)  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 an individual who previously held a license.

(e)  To the extent of any conflict, this section prevails over another law that authorizes or requires the release of information maintained by the State Bar of Texas.

SECTION 2.  Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.11765 to read as follows:

Sec. 552.11765.  CONFIDENTIALITY OF CERTAIN INFORMATION MAINTAINED BY STATE LICENSING AUTHORITY. (a) In this section, "license" means a license, certificate, registration, permit, or other authorization that:

(1)  is issued by a governmental body described by Section 552.003(1)(A)(i); and

(2)  an individual must obtain to practice or engage in a particular business, occupation, or profession.

(b)  Except as provided by Subsections (c) and (d), information maintained by a governmental body described by Section 552.003(1)(A)(i) is confidential and excepted from the requirements of Section 552.021 if the information:

(1)  is a license application; or

(2)  relates to the home address, home telephone number, electronic mail address, social security number, date of birth, driver's license number, state identification number, passport number, emergency contact information, or payment information of:

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

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

(C)  an individual who previously held a license issued by the governmental body.

(c)  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 an individual who previously held a license.

(d)  Subsection (b) does not prohibit the disclosure of the last four digits of the social security number of a license holder issued a license under Chapter 42, 43, or 103, Human Resources Code, or Chapter 142, 242, 247, 248A, 250, or 252, Health and Safety Code, in connection with a verification of employability or an employee misconduct registry search provided by the Health and Human Services Commission.

(e)  To the extent of any conflict, this section prevails over another law that authorizes or requires the release of information maintained by a governmental body.

SECTION 3.  Section 552.1176(b), Government Code, is repealed.

SECTION 4.  The changes in law made by this Act apply only to a request for public information received by a governmental body, including the State Bar of Texas, or an officer for public information on or after the effective date of this Act.

SECTION 5.  This Act takes effect September 1, 2023.

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