

By: Kuempel

H.B. No. 4437

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the confidentiality of certain records containing
3 applicant or student information that are held by the Texas Higher
4 Education Coordinating Board.

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

6 SECTION 1. The heading to Section 61.031, Education Code,
7 is amended to read as follows:

8 Sec. 61.031. PUBLIC [~~INTEREST~~] INFORMATION AND COMPLAINTS.

9 SECTION 2. Section 61.031, Education Code, is amended by
10 adding Subsection (d) to read as follows:

11 (d) Notwithstanding any other provision of law, information
12 that relates to a current, former, or prospective applicant or
13 student of an educational institution and that is obtained,
14 received, or held by the board for the purpose of providing
15 assistance with access to postsecondary education shall be
16 considered confidential and excepted from disclosure under Chapter
17 552, Government Code, and may only be released in conformity with
18 the Family Educational Rights and Privacy Act of 1974 (20 U.S.C.
19 Section 1232g).

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