

By: Creighton

S.B. No. 1367

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the confidentiality of certain information for
3 full-time employees of a county courthouse, the Office of Court
4 Administration of the Texas Judicial System, or the Texas Indigent
5 Defense Commission and the employees' family members.

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

7 SECTION 1. The heading to Section 13.0021, Election Code,
8 is amended to read as follows:

9 Sec. 13.0021. ADDITIONAL REGISTRATION INFORMATION FROM
10 CERTAIN FEDERAL AND STATE JUDGES, FEDERAL OFFICIALS, GOVERNMENTAL
11 EMPLOYEES, AND FAMILY MEMBERS.

12 SECTION 2. Section 13.0021(b), Election Code, is amended to
13 read as follows:

14 (b) The registrar of the county shall omit from the
15 registration list the residence address for a [if the] registration
16 applicant who is:

17 (1) a federal judge, including a federal bankruptcy
18 judge;

19 (2) [] a state judge;

20 (3) [] a marshal of the United States Marshals
21 Service;

22 (4) [] a United States attorney;

23 (5) a full-time employee of:

24 (A) a county whose duties are performed at the

1 county courthouse, including a court clerk;

2 (B) the Office of Court Administration of the
3 Texas Judicial System; or

4 (C) the Texas Indigent Defense Commission; [7] or

5 (6) a family member of a person listed in Subdivisions
6 (1)-(5) [~~state judge, a federal judge, including a federal~~
7 ~~bankruptcy judge, a marshal of the United States Marshals Service,~~
8 ~~or a United States attorney, the registrar of the county shall omit~~
9 ~~the applicant's residence address from the registration list].~~

10 SECTION 3. Section 552.117(a), Government Code, is amended
11 to read as follows:

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

17 (1) a current or former official or employee of a
18 governmental body, except as otherwise provided by Section 552.024;

19 (2) a current or honorably retired peace officer as
20 defined by Article 2.12, Code of Criminal Procedure, or a current or
21 honorably retired security officer commissioned under Section
22 51.212, Education Code, regardless of whether the officer complies
23 with Section 552.024 or 552.1175, as applicable;

24 (3) a current or former employee of the Texas
25 Department of Criminal Justice or of the predecessor in function of
26 the department or any division of the department, regardless of
27 whether the current or former employee complies with Section

1 552.1175;

2 (4) a peace officer as defined by Article 2.12, Code of
3 Criminal Procedure, or other law, a reserve law enforcement
4 officer, a commissioned deputy game warden, or a corrections
5 officer in a municipal, county, or state penal institution in this
6 state who was killed in the line of duty, regardless of whether the
7 deceased complied with Section 552.024 or 552.1175;

8 (5) a commissioned security officer as defined by
9 Section 1702.002, Occupations Code, regardless of whether the
10 officer complies with Section 552.024 or 552.1175, as applicable;

11 (6) an officer or employee of a community supervision
12 and corrections department established under Chapter 76 who
13 performs a duty described by Section 76.004(b), regardless of
14 whether the officer or employee complies with Section 552.024 or
15 552.1175;

16 (7) a current or former employee of the office of the
17 attorney general who is or was assigned to a division of that office
18 the duties of which involve law enforcement, regardless of whether
19 the current or former employee complies with Section 552.024 or
20 552.1175;

21 (8) a current or former employee of the Texas Juvenile
22 Justice Department or of the predecessors in function of the
23 department, regardless of whether the current or former employee
24 complies with Section 552.024 or 552.1175;

25 (9) a current or former juvenile probation or
26 supervision officer certified by the Texas Juvenile Justice
27 Department, or the predecessors in function of the department,

1 under Title 12, Human Resources Code, regardless of whether the
2 current or former officer complies with Section 552.024 or
3 552.1175;

4 (10) a current or former employee of a juvenile
5 justice program or facility, as those terms are defined by Section
6 261.405, Family Code, regardless of whether the current or former
7 employee complies with Section 552.024 or 552.1175;

8 (11) a current or former member of the United States
9 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary
10 service of one of those branches of the armed forces, or the Texas
11 military forces, as that term is defined by Section 437.001;

12 (12) a current or former district attorney, criminal
13 district attorney, or county or municipal attorney whose
14 jurisdiction includes any criminal law or child protective services
15 matters, regardless of whether the current or former attorney
16 complies with Section 552.024 or 552.1175;

17 (13) a current or former employee of a district
18 attorney, criminal district attorney, or county or municipal
19 attorney whose jurisdiction includes any criminal law or child
20 protective services matters, regardless of whether the current or
21 former employee complies with Section 552.024 or 552.1175;

22 (14) a current or former employee of the Texas Civil
23 Commitment Office or of the predecessor in function of the office or
24 a division of the office, regardless of whether the current or
25 former employee complies with Section 552.024 or 552.1175;

26 (15) a current or former federal judge or state judge,
27 as those terms are defined by Section 1.005, Election Code, a

1 federal bankruptcy judge, a marshal of the United States Marshals
2 Service, a United States attorney, or a family member of a current
3 or former federal judge, including a federal bankruptcy judge, a
4 marshal of the United States Marshals Service, a United States
5 attorney, or a state judge;

6 (16) a current or former child protective services
7 caseworker, adult protective services caseworker, or investigator
8 for the Department of Family and Protective Services, regardless of
9 whether the caseworker or investigator complies with Section
10 552.024 or 552.1175, or a current or former employee of a department
11 contractor performing child protective services caseworker, adult
12 protective services caseworker, or investigator functions for the
13 contractor on behalf of the department;

14 (17) an elected public officer, regardless of whether
15 the officer complies with Section 552.024 or 552.1175;

16 (18) a current or former United States attorney,
17 assistant United States attorney, federal public defender, deputy
18 federal public defender, or assistant federal public defender and
19 the spouse or child of the current or former attorney or public
20 defender, regardless of whether the person complies with Section
21 552.024 or 552.1175; ~~or~~

22 (19) a firefighter or volunteer firefighter or
23 emergency medical services personnel as defined by Section 773.003,
24 Health and Safety Code, regardless of whether the firefighter or
25 volunteer firefighter or emergency medical services personnel
26 comply with Section 552.024 or 552.1175, as applicable; or

27 (20) a full-time employee of:

1 (A) a county whose duties are performed at the
2 county courthouse, including a court clerk;

3 (B) the Office of Court Administration of the
4 Texas Judicial System; or

5 (C) the Texas Indigent Defense Commission.

6 SECTION 4. Section 552.1175(a), Government Code, is amended
7 to read as follows:

8 (a) This section applies only to:

9 (1) current or honorably retired peace officers as
10 defined by Article 2.12, Code of Criminal Procedure, or special
11 investigators as described by Article 2.122, Code of Criminal
12 Procedure;

13 (2) current or honorably retired county jailers as
14 defined by Section 1701.001, Occupations Code;

15 (3) current or former employees of the Texas
16 Department of Criminal Justice or of the predecessor in function of
17 the department or any division of the department;

18 (4) commissioned security officers as defined by
19 Section 1702.002, Occupations Code;

20 (5) a current or former district attorney, criminal
21 district attorney, or county or municipal attorney whose
22 jurisdiction includes any criminal law or child protective services
23 matters;

24 (5-a) a current or former employee of a district
25 attorney, criminal district attorney, or county or municipal
26 attorney whose jurisdiction includes any criminal law or child
27 protective services matters;

1 (6) officers and employees of a community supervision
2 and corrections department established under Chapter 76 who perform
3 a duty described by Section 76.004(b);

4 (7) criminal investigators of the United States as
5 described by Article 2.122(a), Code of Criminal Procedure;

6 (8) current or honorably retired police officers and
7 inspectors of the United States Federal Protective Service;

8 (9) current and former employees of the office of the
9 attorney general who are or were assigned to a division of that
10 office the duties of which involve law enforcement;

11 (10) current or former juvenile probation and
12 detention officers certified by the Texas Juvenile Justice
13 Department, or the predecessors in function of the department,
14 under Title 12, Human Resources Code;

15 (11) current or former employees of a juvenile justice
16 program or facility, as those terms are defined by Section 261.405,
17 Family Code;

18 (12) current or former employees of the Texas Juvenile
19 Justice Department or the predecessors in function of the
20 department;

21 (13) federal judges and state judges as defined by
22 Section 1.005, Election Code;

23 (14) current or former employees of the Texas Civil
24 Commitment Office or of the predecessor in function of the office or
25 a division of the office;

26 (15) a current or former member of the United States
27 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary

1 service of one of those branches of the armed forces, or the Texas
2 military forces, as that term is defined by Section 437.001;

3 (16) a current or former child protective services
4 caseworker, adult protective services caseworker, or investigator
5 for the Department of Family and Protective Services or a current or
6 former employee of a department contractor performing child
7 protective services caseworker, adult protective services
8 caseworker, or investigator functions for the contractor on behalf
9 of the department;

10 (17) an elected public officer;

11 (18) a firefighter or volunteer firefighter or
12 emergency medical services personnel as defined by Section 773.003,
13 Health and Safety Code; ~~and~~

14 (19) a current or former United States attorney,
15 assistant United States attorney, federal public defender, deputy
16 federal public defender, or assistant federal public defender; and

17 (20) a full-time employee of:

18 (A) a county whose duties are performed at the
19 county courthouse, including a court clerk;

20 (B) the Office of Court Administration of the
21 Texas Judicial System; and

22 (C) the Texas Indigent Defense Commission.

23 SECTION 5. Section 25.025(a), Tax Code, is amended to read
24 as follows:

25 (a) This section applies only to:

26 (1) a current or former peace officer as defined by
27 Article 2.12, Code of Criminal Procedure, and the spouse or

1 surviving spouse of the peace officer;

2 (2) the adult child of a current peace officer as
3 defined by Article 2.12, Code of Criminal Procedure;

4 (3) a current or honorably retired county jailer as
5 defined by Section 1701.001, Occupations Code;

6 (4) an employee of the Texas Department of Criminal
7 Justice;

8 (5) a commissioned security officer as defined by
9 Section 1702.002, Occupations Code;

10 (6) an individual who shows that the individual, the
11 individual's child, or another person in the individual's household
12 is a victim of family violence as defined by Section 71.004, Family
13 Code, by providing:

14 (A) a copy of a protective order issued under
15 Chapter 85, Family Code, or a magistrate's order for emergency
16 protection issued under Article 17.292, Code of Criminal Procedure;
17 or

18 (B) other independent documentary evidence
19 necessary to show that the individual, the individual's child, or
20 another person in the individual's household is a victim of family
21 violence;

22 (7) an individual who shows that the individual, the
23 individual's child, or another person in the individual's household
24 is a victim of sexual assault or abuse, stalking, or trafficking of
25 persons by providing:

26 (A) a copy of a protective order issued under
27 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a

1 magistrate's order for emergency protection issued under Article
2 [17.292](#), Code of Criminal Procedure; or

3 (B) other independent documentary evidence
4 necessary to show that the individual, the individual's child, or
5 another person in the individual's household is a victim of sexual
6 assault or abuse, stalking, or trafficking of persons;

7 (8) a participant in the address confidentiality
8 program administered by the attorney general under Subchapter B,
9 Chapter [58](#), Code of Criminal Procedure, who provides proof of
10 certification under Article [58.059](#), Code of Criminal Procedure;

11 (9) a federal judge, a federal bankruptcy judge, a
12 marshal of the United States Marshals Service, a state judge, or a
13 family member of a federal judge, a federal bankruptcy judge, a
14 marshal of the United States Marshals Service, or a state judge;

15 (10) a current or former district attorney, criminal
16 district attorney, or county or municipal attorney whose
17 jurisdiction includes any criminal law or child protective services
18 matters;

19 (11) a current or former employee of a district
20 attorney, criminal district attorney, or county or municipal
21 attorney whose jurisdiction includes any criminal law or child
22 protective services matters;

23 (12) an officer or employee of a community supervision
24 and corrections department established under Chapter [76](#),
25 Government Code, who performs a duty described by Section [76.004](#)(b)
26 of that code;

27 (13) a criminal investigator of the United States as

1 described by Article 2.122(a), Code of Criminal Procedure;

2 (14) a current or honorably retired police officer or
3 inspector of the United States Federal Protective Service;

4 (15) a current or former United States attorney,
5 assistant United States attorney, federal public defender, deputy
6 federal public defender, or assistant federal public defender and
7 the spouse and child of the attorney or public defender;

8 (16) a current or former employee of the office of the
9 attorney general who is or was assigned to a division of that office
10 the duties of which involve law enforcement;

11 (17) a medical examiner or person who performs
12 forensic analysis or testing who is employed by this state or one or
13 more political subdivisions of this state;

14 (18) a current or former member of the United States
15 armed forces who has served in an area that the president of the
16 United States by executive order designates for purposes of 26
17 U.S.C. Section 112 as an area in which armed forces of the United
18 States are or have engaged in combat;

19 (19) a current or former employee of the Texas
20 Juvenile Justice Department or of the predecessors in function of
21 the department;

22 (20) a current or former juvenile probation or
23 supervision officer certified by the Texas Juvenile Justice
24 Department, or the predecessors in function of the department,
25 under Title 12, Human Resources Code;

26 (21) a current or former employee of a juvenile
27 justice program or facility, as those terms are defined by Section

1 261.405, Family Code;

2 (22) a current or former employee of the Texas Civil
3 Commitment Office or the predecessor in function of the office or a
4 division of the office;

5 (23) a current or former employee of a federal judge or
6 state judge;

7 (24) a current or former child protective services
8 caseworker, adult protective services caseworker, or investigator
9 for the Department of Family and Protective Services or a current or
10 former employee of a department contractor performing child
11 protective services caseworker, adult protective services
12 caseworker, or investigator functions for the contractor on behalf
13 of the department;

14 (25) an elected public officer; ~~and~~

15 (26) a firefighter or volunteer firefighter or
16 emergency medical services personnel as defined by Section 773.003,
17 Health and Safety Code; and

18 (27) a full-time employee of:

19 (A) a county whose duties are performed at the
20 county courthouse, including a court clerk;

21 (B) the Office of Court Administration of the
22 Texas Judicial System; and

23 (C) the Texas Indigent Defense Commission.

24 SECTION 6. Section 521.121, Transportation Code, is amended
25 by amending Subsections (a) and (c) and adding Subsection (c-1) to
26 read as follows:

27 (a) The driver's license must include:

1 (1) a distinguishing number assigned by the department
2 to the license holder;

3 (2) a photograph of the entire face of the holder;

4 (3) the full name and date of birth of the holder;

5 (4) a brief description of the holder; and

6 (5) the license holder's residence address or, for a
7 license holder using the procedure under Subsection (c):

8 (A) [7] the street address of the courthouse in
9 which the license holder or license holder's spouse or parent:

10 (i) serves as a federal judge, including a
11 federal bankruptcy judge, a marshal of the United States Marshals
12 Service, a United States attorney, or a state judge; or

13 (ii) performs duties as a full-time
14 employee of a county, including a court clerk; or

15 (B) the office address of the office in which the
16 license holder or the license holder's spouse or parent performs
17 duties as a full-time employee of:

18 (i) the Office of Court Administration of
19 the Texas Judicial System; or

20 (ii) the Texas Indigent Defense Commission.

21 (c) The department shall establish a procedure, on a license
22 holder's qualification for or appointment to office as a federal or
23 state judge as defined by Section 1.005, Election Code, or as a
24 federal bankruptcy judge, a marshal of the United States Marshals
25 Service, or a United States attorney, or on a license holder's
26 employment as a full-time county employee whose duties are
27 performed at the county courthouse, including a court clerk, or as a

1 full-time employee of the Office of Court Administration of the
2 Texas Judicial System or of the Texas Indigent Defense Commission,
3 to omit the residence address of the judge, ~~[or]~~ official, or
4 employee and any family member of the judge, ~~[or]~~ official, or
5 employee on the license holder's license and to print ~~[include]~~, in
6 lieu of that address, the street address of the courthouse or office
7 building in which the license holder or license holder's spouse or
8 parent serves as a federal or state judge, ~~[or]~~ official, or
9 employee.

10 (c-1) The residence address of a license holder whose
11 residence address is omitted using the procedure under Subsection
12 (c) is confidential and is available only for the official use of
13 the department or a law enforcement agency.

14 SECTION 7. Not later than November 1, 2024, the Department
15 of Public Safety shall:

16 (1) review the department's processes for
17 implementation of and compliance with Section [521.121](#),
18 Transportation Code, as amended by this Act; and

19 (2) submit to the governor, the lieutenant governor,
20 the speaker of the house of representatives, each member of the
21 legislature, and the Texas Judicial Council a written report
22 containing the results of the review, a description of the methods
23 used to prepare the review, and any recommendations for legislative
24 or other action.

25 SECTION 8. The changes in law made by this Act apply only to
26 a request for information that is received by a governmental body or
27 an officer on or after the effective date of this Act. A request

1 for information that was received before the effective date of this
2 Act is governed by the law in effect on the date the request was
3 received, and the former law is continued in effect for that
4 purpose.

5 SECTION 9. This Act takes effect September 1, 2023.