

By: Creighton
(Leach)

S.B. No. 1367

Substitute the following for S.B. No. 1367:

By: Slawson

C.S.S.B. No. 1367

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the confidentiality of certain information for
3 employees of a county courthouse or the Office of Court
4 Administration of the Texas Judicial System and the employees'
5 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) an employee whose duties are performed on behalf
24 of the administration of a court, including a court clerk, court

1 coordinator, court administrator, law clerk, or staff attorney;

2 (6) a current or former employee of the Office of Court
3 Administration of the Texas Judicial System and entities
4 administratively attached to the office;~~[7]~~ or

5 (7) a family member of a person listed in Subdivisions
6 (1)-(6) [~~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 72.016, Government Code, is amended to
11 read as follows:

12 Sec. 72.016. NOTIFICATION PROCEDURE FOR JUDICIAL PRIVACY.
13 The director shall develop a procedure to regularly notify county
14 registrars, the Department of Public Safety, the Texas Ethics
15 Commission, and any other state or local government agency the
16 office determines should be notified of the judges, judges'
17 spouses, employees of the Office of Court Administration of the
18 Texas Judicial System and entities administratively attached to the
19 office, and related family members whose personal information must
20 be kept from public records, as provided under Sections 552.117 and
21 572.035 of this code, Sections 13.0021 and 15.0215, Election Code,
22 Section 25.025, Tax Code, and Section 521.121, Transportation Code.

23 SECTION 4. Section 552.117, Government Code, is amended by
24 amending Subsections (a) and (b) and adding Subsection (b-1) to
25 read as follows:

26 (a) Information is excepted from the requirements of
27 Section 552.021 if it is information that relates to the home

1 address, home telephone number, emergency contact information, or
2 social security number of the following person or that reveals
3 whether the person has family members:

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

6 (2) a current or honorably retired peace officer as
7 defined by Article 2.12, Code of Criminal Procedure, or a current or
8 honorably retired security officer commissioned under Section
9 51.212, Education Code, regardless of whether the officer complies
10 with Section 552.024 or 552.1175, as applicable;

11 (3) a current or former employee of the Texas
12 Department of Criminal Justice or of the predecessor in function of
13 the department or any division of the department, regardless of
14 whether the current or former employee complies with Section
15 552.1175;

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

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

25 (6) an officer or employee of a community supervision
26 and corrections department established under Chapter 76 who
27 performs a duty described by Section 76.004(b), regardless of

1 whether the officer or employee complies with Section 552.024 or
2 552.1175;

3 (7) a current or former employee of the office of the
4 attorney general who is or was assigned to a division of that office
5 the duties of which involve law enforcement, regardless of whether
6 the current or former employee complies with Section 552.024 or
7 552.1175;

8 (8) a current or former employee of the Texas Juvenile
9 Justice Department or of the predecessors in function of the
10 department, regardless of whether the current or former employee
11 complies with Section 552.024 or 552.1175;

12 (9) a current or former juvenile probation or
13 supervision officer certified by the Texas Juvenile Justice
14 Department, or the predecessors in function of the department,
15 under Title 12, Human Resources Code, regardless of whether the
16 current or former officer complies with Section 552.024 or
17 552.1175;

18 (10) a current or former employee of a juvenile
19 justice program or facility, as those terms are defined by Section
20 261.405, Family Code, regardless of whether the current or former
21 employee complies with Section 552.024 or 552.1175;

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

26 (12) a current or former district attorney, criminal
27 district attorney, or county or municipal attorney whose

1 jurisdiction includes any criminal law or child protective services
2 matters, regardless of whether the current or former attorney
3 complies with Section 552.024 or 552.1175;

4 (13) a current or former employee of a district
5 attorney, criminal district attorney, or county or municipal
6 attorney whose jurisdiction includes any criminal law or child
7 protective services matters, regardless of whether the current or
8 former employee complies with Section 552.024 or 552.1175;

9 (14) a current or former employee of the Texas Civil
10 Commitment Office or of the predecessor in function of the office or
11 a division of the office, regardless of whether the current or
12 former employee complies with Section 552.024 or 552.1175;

13 (15) a current or former federal judge or state judge,
14 as those terms are defined by Section 1.005, Election Code, a
15 federal bankruptcy judge, a marshal of the United States Marshals
16 Service, a United States attorney, or a family member of a current
17 or former federal judge, including a federal bankruptcy judge, a
18 marshal of the United States Marshals Service, a United States
19 attorney, or a state judge;

20 (16) a current or former child protective services
21 caseworker, adult protective services caseworker, or investigator
22 for the Department of Family and Protective Services, regardless of
23 whether the caseworker or investigator complies with Section
24 552.024 or 552.1175, or a current or former employee of a department
25 contractor performing child protective services caseworker, adult
26 protective services caseworker, or investigator functions for the
27 contractor on behalf of the department;

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

3 (18) a current or former United States attorney,
4 assistant United States attorney, federal public defender, deputy
5 federal public defender, or assistant federal public defender and
6 the spouse or child of the current or former attorney or public
7 defender, regardless of whether the person complies with Section
8 552.024 or 552.1175; ~~or~~

9 (19) a firefighter or volunteer firefighter or
10 emergency medical services personnel as defined by Section 773.003,
11 Health and Safety Code, regardless of whether the firefighter or
12 volunteer firefighter or emergency medical services personnel
13 comply with Section 552.024 or 552.1175, as applicable;

14 (20) a current or former employee whose duties are
15 performed on behalf of the administration of a court, including a
16 court clerk, court coordinator, court administrator, law clerk, or
17 staff attorney, regardless of whether the employee complies with
18 Section 552.024 or 552.1175; or

19 (21) a current or former employee of the Office of
20 Court Administration of the Texas Judicial System and entities
21 administratively attached to the office, regardless of whether the
22 employee complies with Section 552.024 or 552.1175.

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

26 (b-1) A county clerk or district clerk on request of a
27 person to whom this section applies shall redact information

1 described by Subsection (a) that relates to the person from any
2 document the clerk posts on an Internet website.

3 SECTION 5. Section 552.1175, Government Code, is amended by
4 amending Subsections (a) and (e) and adding Subsection (e-1) to
5 read as follows:

6 (a) This section applies only to:

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

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

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

16 (4) commissioned security officers as defined by
17 Section 1702.002, Occupations Code;

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

22 (5-a) a current or former employee of a district
23 attorney, criminal district attorney, or county or municipal
24 attorney whose jurisdiction includes any criminal law or child
25 protective services matters;

26 (6) officers and employees of a community supervision
27 and corrections department established under Chapter 76 who perform

1 a duty described by Section 76.004(b);

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

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

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

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

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

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

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

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

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

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

8 (17) an elected public officer;

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

12 (19) a current or former United States attorney,
13 assistant United States attorney, federal public defender, deputy
14 federal public defender, or assistant federal public defender;

15 (20) a current or former employee whose duties are
16 performed on behalf of the administration of a court, including a
17 court clerk, court coordinator, court administrator, law clerk, or
18 staff attorney; and

19 (21) a current or former employee of the Office of
20 Court Administration of the Texas Judicial System and entities
21 administratively attached to the office.

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

25 (e-1) A county clerk or district clerk on request of a
26 person to whom this section applies shall redact information
27 described by Subsection (b) that relates to the person from any

1 document the clerk posts on an Internet website.

2 SECTION 6. Section 25.025(a), Tax Code, is amended to read
3 as follows:

4 (a) This section applies only to:

5 (1) a current or former peace officer as defined by
6 Article 2.12, Code of Criminal Procedure, and the spouse or
7 surviving spouse of the peace officer;

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

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

12 (4) an employee of the Texas Department of Criminal
13 Justice;

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

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

20 (A) a copy of a protective order issued under
21 Chapter 85, Family Code, or a magistrate's order for emergency
22 protection issued under Article 17.292, Code of Criminal Procedure;
23 or

24 (B) other independent documentary evidence
25 necessary to show that the individual, the individual's child, or
26 another person in the individual's household is a victim of family
27 violence;

1 (7) an individual who shows that the individual, the
2 individual's child, or another person in the individual's household
3 is a victim of sexual assault or abuse, stalking, or trafficking of
4 persons by providing:

5 (A) a copy of a protective order issued under
6 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a
7 magistrate's order for emergency protection issued under Article
8 17.292, Code of Criminal Procedure; or

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

13 (8) a participant in the address confidentiality
14 program administered by the attorney general under Subchapter B,
15 Chapter 58, Code of Criminal Procedure, who provides proof of
16 certification under Article 58.059, Code of Criminal Procedure;

17 (9) a federal judge, a federal bankruptcy judge, a
18 marshal of the United States Marshals Service, a state judge, or a
19 family member of a federal judge, a federal bankruptcy judge, a
20 marshal of the United States Marshals Service, or a state judge;

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

25 (11) a current or former employee of a district
26 attorney, criminal district attorney, or county or municipal
27 attorney whose jurisdiction includes any criminal law or child

1 protective services matters;

2 (12) an officer or employee of a community supervision
3 and corrections department established under Chapter 76,
4 Government Code, who performs a duty described by Section 76.004(b)
5 of that code;

6 (13) a criminal investigator of the United States as
7 described by Article 2.122(a), Code of Criminal Procedure;

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

10 (15) a current or former United States attorney,
11 assistant United States attorney, federal public defender, deputy
12 federal public defender, or assistant federal public defender and
13 the spouse and child of the attorney or public defender;

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

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

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

25 (19) a current or former employee of the Texas
26 Juvenile Justice Department or of the predecessors in function of
27 the department;

1 (20) a current or former juvenile probation or
2 supervision officer certified by the Texas Juvenile Justice
3 Department, or the predecessors in function of the department,
4 under Title 12, Human Resources Code;

5 (21) a current or former employee of a juvenile
6 justice program or facility, as those terms are defined by Section
7 [261.405](#), Family Code;

8 (22) a current or former employee of the Texas Civil
9 Commitment Office or the predecessor in function of the office or a
10 division of the office;

11 (23) a current or former employee of a federal judge or
12 state judge;

13 (24) a current or former child protective services
14 caseworker, adult protective services caseworker, or investigator
15 for the Department of Family and Protective Services or a current or
16 former employee of a department contractor performing child
17 protective services caseworker, adult protective services
18 caseworker, or investigator functions for the contractor on behalf
19 of the department;

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

21 (26) a firefighter or volunteer firefighter or
22 emergency medical services personnel as defined by Section [773.003](#),
23 Health and Safety Code;

24 (27) a current or former employee whose duties are
25 performed on behalf of the administration of a court, including a
26 court clerk, court coordinator, court administrator, law clerk, or
27 staff attorney; and

1 (28) a current or former employee of the Office of
2 Court Administration of the Texas Judicial System and entities
3 administratively attached to the office.

4 SECTION 7. Section 521.121, Transportation Code, is amended
5 by amending Subsections (a) and (c) and adding Subsection (c-1) to
6 read as follows:

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

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

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

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

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

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

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

17 (i) serves as a federal judge, including a
18 federal bankruptcy judge, a marshal of the United States Marshals
19 Service, a United States attorney, or a state judge; or

20 (ii) performs duties on behalf of the
21 administration of a court, including a court clerk, court
22 coordinator, court administrator, law clerk, or staff attorney; or

23 (B) the office address of the office in which the
24 license holder or the license holder's spouse or parent performs
25 duties as an employee of the Office of Court Administration of the
26 Texas Judicial System and entities administratively attached to the
27 office.

1 (c) The department shall establish a procedure, on a license
2 holder's qualification for or appointment to office as a federal or
3 state judge as defined by Section 1.005, Election Code, or as a
4 federal bankruptcy judge, a marshal of the United States Marshals
5 Service, ~~or~~ a United States attorney, or for a license holder
6 whose duties are performed on behalf of the administration of a
7 court, including a court clerk, court coordinator, court
8 administrator, law clerk, or staff attorney, or as an employee of
9 the Office of Court Administration of the Texas Judicial System and
10 entities administratively attached to the office, to omit the
11 residence address of the judge, ~~or~~ official, or employee and any
12 family member of the judge, ~~or~~ official, or employee on the
13 license holder's license and to print ~~[include]~~, in lieu of that
14 address, the street address of the courthouse or office building in
15 which the license holder or license holder's spouse or parent
16 serves as a federal or state judge, ~~or~~ official, or employee.

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

21 SECTION 8. Not later than November 1, 2024, the Department
22 of Public Safety shall:

23 (1) review the department's processes for
24 implementation of and compliance with Section 521.121,
25 Transportation Code, as amended by this Act; and

26 (2) submit to the governor, the lieutenant governor,
27 the speaker of the house of representatives, each member of the

1 legislature, and the Texas Judicial Council a written report
2 containing the results of the review, a description of the methods
3 used to prepare the review, and any recommendations for legislative
4 or other action.

5 SECTION 9. The changes in law made by this Act apply only to
6 a request for information that is received by a governmental body or
7 an officer on or after the effective date of this Act. A request for
8 information that was received before the effective date of this Act
9 is governed by the law in effect on the date the request was
10 received, and the former law is continued in effect for that
11 purpose.

12 SECTION 10. This Act takes effect September 1, 2023.