

1-1 By: Creighton S.B. No. 1367
 1-2 (In the Senate - Filed March 1, 2023; March 16, 2023, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 18, 2023, reported favorably by the following vote: Yeas 10,
 1-5 Nays 0; April 18, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the confidentiality of certain information for
 1-22 full-time employees of a county courthouse, the Office of Court
 1-23 Administration of the Texas Judicial System, or the Texas Indigent
 1-24 Defense Commission and the employees' family members.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. The heading to Section 13.0021, Election Code,
 1-27 is amended to read as follows:

1-28 Sec. 13.0021. ADDITIONAL REGISTRATION INFORMATION FROM
 1-29 CERTAIN FEDERAL AND STATE JUDGES, FEDERAL OFFICIALS, GOVERNMENTAL
 1-30 EMPLOYEES, AND FAMILY MEMBERS.

1-31 SECTION 2. Section 13.0021(b), Election Code, is amended to
 1-32 read as follows:

1-33 (b) The registrar of the county shall omit from the
 1-34 registration list the residence address for a [If the] registration
 1-35 applicant who is:

1-36 (1) a federal judge, including a federal bankruptcy
 1-37 judge;

1-38 (2) a state judge;

1-39 (3) a marshal of the United States Marshals
 1-40 Service;

1-41 (4) a United States attorney;

1-42 (5) a full-time employee of:

1-43 (A) a county whose duties are performed at the
 1-44 county courthouse, including a court clerk;

1-45 (B) the Office of Court Administration of the
 1-46 Texas Judicial System; or

1-47 (C) the Texas Indigent Defense Commission; or

1-48 (6) a family member of a person listed in Subdivisions

1-49 (1)-(5) ~~[state judge, a federal judge, including a federal~~
 1-50 ~~bankruptcy judge, a marshal of the United States Marshals Service,~~
 1-51 ~~or a United States attorney, the registrar of the county shall omit~~
 1-52 ~~the applicant's residence address from the registration list].~~

1-53 SECTION 3. Section 552.117(a), Government Code, is amended
 1-54 to read as follows:

1-55 (a) Information is excepted from the requirements of
 1-56 Section 552.021 if it is information that relates to the home
 1-57 address, home telephone number, emergency contact information, or
 1-58 social security number of the following person or that reveals
 1-59 whether the person has family members:

1-60 (1) a current or former official or employee of a
 1-61 governmental body, except as otherwise provided by Section 552.024;

- 2-1 (2) a current or honorably retired peace officer as
2-2 defined by Article 2.12, Code of Criminal Procedure, or a current or
2-3 honorably retired security officer commissioned under Section
2-4 51.212, Education Code, regardless of whether the officer complies
2-5 with Section 552.024 or 552.1175, as applicable;
- 2-6 (3) a current or former employee of the Texas
2-7 Department of Criminal Justice or of the predecessor in function of
2-8 the department or any division of the department, regardless of
2-9 whether the current or former employee complies with Section
2-10 552.1175;
- 2-11 (4) a peace officer as defined by Article 2.12, Code of
2-12 Criminal Procedure, or other law, a reserve law enforcement
2-13 officer, a commissioned deputy game warden, or a corrections
2-14 officer in a municipal, county, or state penal institution in this
2-15 state who was killed in the line of duty, regardless of whether the
2-16 deceased complied with Section 552.024 or 552.1175;
- 2-17 (5) a commissioned security officer as defined by
2-18 Section 1702.002, Occupations Code, regardless of whether the
2-19 officer complies with Section 552.024 or 552.1175, as applicable;
- 2-20 (6) an officer or employee of a community supervision
2-21 and corrections department established under Chapter 76 who
2-22 performs a duty described by Section 76.004(b), regardless of
2-23 whether the officer or employee complies with Section 552.024 or
2-24 552.1175;
- 2-25 (7) a current or former employee of the office of the
2-26 attorney general who is or was assigned to a division of that office
2-27 the duties of which involve law enforcement, regardless of whether
2-28 the current or former employee complies with Section 552.024 or
2-29 552.1175;
- 2-30 (8) a current or former employee of the Texas Juvenile
2-31 Justice Department or of the predecessors in function of the
2-32 department, regardless of whether the current or former employee
2-33 complies with Section 552.024 or 552.1175;
- 2-34 (9) a current or former juvenile probation or
2-35 supervision officer certified by the Texas Juvenile Justice
2-36 Department, or the predecessors in function of the department,
2-37 under Title 12, Human Resources Code, regardless of whether the
2-38 current or former officer complies with Section 552.024 or
2-39 552.1175;
- 2-40 (10) a current or former employee of a juvenile
2-41 justice program or facility, as those terms are defined by Section
2-42 261.405, Family Code, regardless of whether the current or former
2-43 employee complies with Section 552.024 or 552.1175;
- 2-44 (11) a current or former member of the United States
2-45 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary
2-46 service of one of those branches of the armed forces, or the Texas
2-47 military forces, as that term is defined by Section 437.001;
- 2-48 (12) a current or former district attorney, criminal
2-49 district attorney, or county or municipal attorney whose
2-50 jurisdiction includes any criminal law or child protective services
2-51 matters, regardless of whether the current or former attorney
2-52 complies with Section 552.024 or 552.1175;
- 2-53 (13) a current or former employee of a district
2-54 attorney, criminal district attorney, or county or municipal
2-55 attorney whose jurisdiction includes any criminal law or child
2-56 protective services matters, regardless of whether the current or
2-57 former employee complies with Section 552.024 or 552.1175;
- 2-58 (14) a current or former employee of the Texas Civil
2-59 Commitment Office or of the predecessor in function of the office or
2-60 a division of the office, regardless of whether the current or
2-61 former employee complies with Section 552.024 or 552.1175;
- 2-62 (15) a current or former federal judge or state judge,
2-63 as those terms are defined by Section 1.005, Election Code, a
2-64 federal bankruptcy judge, a marshal of the United States Marshals
2-65 Service, a United States attorney, or a family member of a current
2-66 or former federal judge, including a federal bankruptcy judge, a
2-67 marshal of the United States Marshals Service, a United States
2-68 attorney, or a state judge;
- 2-69 (16) a current or former child protective services

3-1 caseworker, adult protective services caseworker, or investigator
3-2 for the Department of Family and Protective Services, regardless of
3-3 whether the caseworker or investigator complies with Section
3-4 552.024 or 552.1175, or a current or former employee of a department
3-5 contractor performing child protective services caseworker, adult
3-6 protective services caseworker, or investigator functions for the
3-7 contractor on behalf of the department;

3-8 (17) an elected public officer, regardless of whether
3-9 the officer complies with Section 552.024 or 552.1175;

3-10 (18) a current or former United States attorney,
3-11 assistant United States attorney, federal public defender, deputy
3-12 federal public defender, or assistant federal public defender and
3-13 the spouse or child of the current or former attorney or public
3-14 defender, regardless of whether the person complies with Section
3-15 552.024 or 552.1175; [~~or~~]

3-16 (19) a firefighter or volunteer firefighter or
3-17 emergency medical services personnel as defined by Section 773.003,
3-18 Health and Safety Code, regardless of whether the firefighter or
3-19 volunteer firefighter or emergency medical services personnel
3-20 comply with Section 552.024 or 552.1175, as applicable; or

3-21 (20) a full-time employee of:

3-22 (A) a county whose duties are performed at the
3-23 county courthouse, including a court clerk;

3-24 (B) the Office of Court Administration of the
3-25 Texas Judicial System; or

3-26 (C) the Texas Indigent Defense Commission.

3-27 SECTION 4. Section 552.1175(a), Government Code, is amended
3-28 to read as follows:

3-29 (a) This section applies only to:

3-30 (1) current or honorably retired peace officers as
3-31 defined by Article 2.12, Code of Criminal Procedure, or special
3-32 investigators as described by Article 2.122, Code of Criminal
3-33 Procedure;

3-34 (2) current or honorably retired county jailers as
3-35 defined by Section 1701.001, Occupations Code;

3-36 (3) current or former employees of the Texas
3-37 Department of Criminal Justice or of the predecessor in function of
3-38 the department or any division of the department;

3-39 (4) commissioned security officers as defined by
3-40 Section 1702.002, Occupations Code;

3-41 (5) a current or former district attorney, criminal
3-42 district attorney, or county or municipal attorney whose
3-43 jurisdiction includes any criminal law or child protective services
3-44 matters;

3-45 (5-a) a current or former employee of a district
3-46 attorney, criminal district attorney, or county or municipal
3-47 attorney whose jurisdiction includes any criminal law or child
3-48 protective services matters;

3-49 (6) officers and employees of a community supervision
3-50 and corrections department established under Chapter 76 who perform
3-51 a duty described by Section 76.004(b);

3-52 (7) criminal investigators of the United States as
3-53 described by Article 2.122(a), Code of Criminal Procedure;

3-54 (8) current or honorably retired police officers and
3-55 inspectors of the United States Federal Protective Service;

3-56 (9) current and former employees of the office of the
3-57 attorney general who are or were assigned to a division of that
3-58 office the duties of which involve law enforcement;

3-59 (10) current or former juvenile probation and
3-60 detention officers certified by the Texas Juvenile Justice
3-61 Department, or the predecessors in function of the department,
3-62 under Title 12, Human Resources Code;

3-63 (11) current or former employees of a juvenile justice
3-64 program or facility, as those terms are defined by Section 261.405,
3-65 Family Code;

3-66 (12) current or former employees of the Texas Juvenile
3-67 Justice Department or the predecessors in function of the
3-68 department;

3-69 (13) federal judges and state judges as defined by

4-1 Section 1.005, Election Code;

4-2 (14) current or former employees of the Texas Civil

4-3 Commitment Office or of the predecessor in function of the office or

4-4 a division of the office;

4-5 (15) a current or former member of the United States

4-6 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary

4-7 service of one of those branches of the armed forces, or the Texas

4-8 military forces, as that term is defined by Section 437.001;

4-9 (16) a current or former child protective services

4-10 caseworker, adult protective services caseworker, or investigator

4-11 for the Department of Family and Protective Services or a current or

4-12 former employee of a department contractor performing child

4-13 protective services caseworker, adult protective services

4-14 caseworker, or investigator functions for the contractor on behalf

4-15 of the department;

4-16 (17) an elected public officer;

4-17 (18) a firefighter or volunteer firefighter or

4-18 emergency medical services personnel as defined by Section 773.003,

4-19 Health and Safety Code; ~~and~~

4-20 (19) a current or former United States attorney,

4-21 assistant United States attorney, federal public defender, deputy

4-22 federal public defender, or assistant federal public defender; and

4-23 (20) a full-time employee of:

4-24 (A) a county whose duties are performed at the

4-25 county courthouse, including a court clerk;

4-26 (B) the Office of Court Administration of the

4-27 Texas Judicial System; and

4-28 (C) the Texas Indigent Defense Commission.

4-29 SECTION 5. Section 25.025(a), Tax Code, is amended to read

4-30 as follows:

4-31 (a) This section applies only to:

4-32 (1) a current or former peace officer as defined by

4-33 Article 2.12, Code of Criminal Procedure, and the spouse or

4-34 surviving spouse of the peace officer;

4-35 (2) the adult child of a current peace officer as

4-36 defined by Article 2.12, Code of Criminal Procedure;

4-37 (3) a current or honorably retired county jailer as

4-38 defined by Section 1701.001, Occupations Code;

4-39 (4) an employee of the Texas Department of Criminal

4-40 Justice;

4-41 (5) a commissioned security officer as defined by

4-42 Section 1702.002, Occupations Code;

4-43 (6) an individual who shows that the individual, the

4-44 individual's child, or another person in the individual's household

4-45 is a victim of family violence as defined by Section 71.004, Family

4-46 Code, by providing:

4-47 (A) a copy of a protective order issued under

4-48 Chapter 85, Family Code, or a magistrate's order for emergency

4-49 protection issued under Article 17.292, Code of Criminal Procedure;

4-50 or

4-51 (B) other independent documentary evidence

4-52 necessary to show that the individual, the individual's child, or

4-53 another person in the individual's household is a victim of family

4-54 violence;

4-55 (7) an individual who shows that the individual, the

4-56 individual's child, or another person in the individual's household

4-57 is a victim of sexual assault or abuse, stalking, or trafficking of

4-58 persons by providing:

4-59 (A) a copy of a protective order issued under

4-60 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a

4-61 magistrate's order for emergency protection issued under Article

4-62 17.292, Code of Criminal Procedure; or

4-63 (B) other independent documentary evidence

4-64 necessary to show that the individual, the individual's child, or

4-65 another person in the individual's household is a victim of sexual

4-66 assault or abuse, stalking, or trafficking of persons;

4-67 (8) a participant in the address confidentiality

4-68 program administered by the attorney general under Subchapter B,

4-69 Chapter 58, Code of Criminal Procedure, who provides proof of

5-1 certification under Article 58.059, Code of Criminal Procedure;
5-2 (9) a federal judge, a federal bankruptcy judge, a
5-3 marshal of the United States Marshals Service, a state judge, or a
5-4 family member of a federal judge, a federal bankruptcy judge, a
5-5 marshal of the United States Marshals Service, or a state judge;
5-6 (10) a current or former district attorney, criminal
5-7 district attorney, or county or municipal attorney whose
5-8 jurisdiction includes any criminal law or child protective services
5-9 matters;
5-10 (11) a current or former employee of a district
5-11 attorney, criminal district attorney, or county or municipal
5-12 attorney whose jurisdiction includes any criminal law or child
5-13 protective services matters;
5-14 (12) an officer or employee of a community supervision
5-15 and corrections department established under Chapter 76,
5-16 Government Code, who performs a duty described by Section 76.004(b)
5-17 of that code;
5-18 (13) a criminal investigator of the United States as
5-19 described by Article 2.122(a), Code of Criminal Procedure;
5-20 (14) a current or honorably retired police officer or
5-21 inspector of the United States Federal Protective Service;
5-22 (15) a current or former United States attorney,
5-23 assistant United States attorney, federal public defender, deputy
5-24 federal public defender, or assistant federal public defender and
5-25 the spouse and child of the attorney or public defender;
5-26 (16) a current or former employee of the office of the
5-27 attorney general who is or was assigned to a division of that office
5-28 the duties of which involve law enforcement;
5-29 (17) a medical examiner or person who performs
5-30 forensic analysis or testing who is employed by this state or one or
5-31 more political subdivisions of this state;
5-32 (18) a current or former member of the United States
5-33 armed forces who has served in an area that the president of the
5-34 United States by executive order designates for purposes of 26
5-35 U.S.C. Section 112 as an area in which armed forces of the United
5-36 States are or have engaged in combat;
5-37 (19) a current or former employee of the Texas
5-38 Juvenile Justice Department or of the predecessors in function of
5-39 the department;
5-40 (20) a current or former juvenile probation or
5-41 supervision officer certified by the Texas Juvenile Justice
5-42 Department, or the predecessors in function of the department,
5-43 under Title 12, Human Resources Code;
5-44 (21) a current or former employee of a juvenile
5-45 justice program or facility, as those terms are defined by Section
5-46 261.405, Family Code;
5-47 (22) a current or former employee of the Texas Civil
5-48 Commitment Office or the predecessor in function of the office or a
5-49 division of the office;
5-50 (23) a current or former employee of a federal judge or
5-51 state judge;
5-52 (24) a current or former child protective services
5-53 caseworker, adult protective services caseworker, or investigator
5-54 for the Department of Family and Protective Services or a current or
5-55 former employee of a department contractor performing child
5-56 protective services caseworker, adult protective services
5-57 caseworker, or investigator functions for the contractor on behalf
5-58 of the department;
5-59 (25) an elected public officer; ~~and~~
5-60 (26) a firefighter or volunteer firefighter or
5-61 emergency medical services personnel as defined by Section 773.003,
5-62 Health and Safety Code; and
5-63 (27) a full-time employee of:
5-64 (A) a county whose duties are performed at the
5-65 county courthouse, including a court clerk;
5-66 (B) the Office of Court Administration of the
5-67 Texas Judicial System; and
5-68 (C) the Texas Indigent Defense Commission.
5-69 SECTION 6. Section 521.121, Transportation Code, is amended

6-1 by amending Subsections (a) and (c) and adding Subsection (c-1) to
6-2 read as follows:

6-3 (a) The driver's license must include:

6-4 (1) a distinguishing number assigned by the department
6-5 to the license holder;

6-6 (2) a photograph of the entire face of the holder;

6-7 (3) the full name and date of birth of the holder;

6-8 (4) a brief description of the holder; and

6-9 (5) the license holder's residence address or, for a
6-10 license holder using the procedure under Subsection (c):

6-11 (A) ~~the~~ the street address of the courthouse in
6-12 which the license holder or license holder's spouse or parent:

6-13 (i) serves as a federal judge, including a
6-14 federal bankruptcy judge, a marshal of the United States Marshals
6-15 Service, a United States attorney, or a state judge; or

6-16 (ii) performs duties as a full-time
6-17 employee of a county, including a court clerk; or

6-18 (B) the office address of the office in which the
6-19 license holder or the license holder's spouse or parent performs
6-20 duties as a full-time employee of:

6-21 (i) the Office of Court Administration of
6-22 the Texas Judicial System; or

6-23 (ii) the Texas Indigent Defense Commission.

6-24 (c) The department shall establish a procedure, on a license
6-25 holder's qualification for or appointment to office as a federal or
6-26 state judge as defined by Section 1.005, Election Code, or as a
6-27 federal bankruptcy judge, a marshal of the United States Marshals
6-28 Service, or a United States attorney, or on a license holder's
6-29 employment as a full-time county employee whose duties are
6-30 performed at the county courthouse, including a court clerk, or as a
6-31 full-time employee of the Office of Court Administration of the
6-32 Texas Judicial System or of the Texas Indigent Defense Commission,
6-33 to omit the residence address of the judge, ~~or~~ official, or
6-34 employee and any family member of the judge, ~~or~~ official, or
6-35 employee on the license holder's license and to print ~~include~~, in
6-36 lieu of that address, the street address of the courthouse or office
6-37 building in which the license holder or license holder's spouse or
6-38 parent serves as a federal or state judge, ~~or~~ official, or
6-39 employee.

6-40 (c-1) The residence address of a license holder whose
6-41 residence address is omitted using the procedure under Subsection
6-42 (c) is confidential and is available only for the official use of
6-43 the department or a law enforcement agency.

6-44 SECTION 7. Not later than November 1, 2024, the Department
6-45 of Public Safety shall:

6-46 (1) review the department's processes for
6-47 implementation of and compliance with Section 521.121,
6-48 Transportation Code, as amended by this Act; and

6-49 (2) submit to the governor, the lieutenant governor,
6-50 the speaker of the house of representatives, each member of the
6-51 legislature, and the Texas Judicial Council a written report
6-52 containing the results of the review, a description of the methods
6-53 used to prepare the review, and any recommendations for legislative
6-54 or other action.

6-55 SECTION 8. The changes in law made by this Act apply only to
6-56 a request for information that is received by a governmental body or
6-57 an officer on or after the effective date of this Act. A request
6-58 for information that was received before the effective date of this
6-59 Act is governed by the law in effect on the date the request was
6-60 received, and the former law is continued in effect for that
6-61 purpose.

6-62 SECTION 9. This Act takes effect September 1, 2023.

6-63 * * * * *