

BILL ANALYSIS

S.B. 765
By: Kolkhorst
Delivery of Government Efficiency
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, information relating to the methods by which a governmental body detects and deters fraud is not explicitly protected from disclosure under state public information law. The bill sponsor has informed the committee that this lack of protection could result in the disclosure to a bad actor of what might become essentially a playbook for committing fraud against the state. S.B. 765 addresses this issue by exempting from disclosure under such law information relating to governmental fraud detection and deterrence measures.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 765 amends the Government Code to establish that information in the custody of a governmental body that relates to fraud detection and deterrence measures is confidential and excepted from the public availability requirement of state public information law. For these purposes, fraud detection information includes risk assessments, reports, data, protocols, technology specifications, manuals, instructions, investigative materials, crossmatches, mental impressions, and communications that may reveal the methods or means by which a governmental body prevents, investigates, or evaluates fraud. The bill establishes that this confidentiality protection does not affect the ability of a governmental body to share such specified information as authorized by other law for law enforcement and fraud detection and prevention purposes.

EFFECTIVE DATE

September 1, 2025.