

## **BILL ANALYSIS**

Senate Research Center  
89R11212 JTZ-D

S.B. 1749  
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### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, sensitive information for prominent members of the justice system is kept confidential. However, similar protections are not extended to protect the sensitive information of those who work for these prominent judicial officials, courthouse and judicial agency employees.

S.B. 1749 would extend privacy protections of personal identifying information to the following individuals and their family members:

- current or former county or district clerks and their respective employees;
- current or former courthouse employees; and
- current or former employees of the Office of Court Administration of the Texas Judicial System.

At the discretion of the protected individuals listed above, the following confidentiality measures can be taken:

- Omit residency addresses from public election registration lists;
- Prevent public release of:
  - Residential address;
  - Home telephone number;
  - Emergency contact information;
  - Social security number; and
  - Family members; and
- Replace the residential address on their Texas Department of Public Safety issued driver's license with the street address of the courthouse or office building where the respective individual works.

As proposed, S.B. 1749 amends current law relating to the confidentiality of certain information for employees of a county, a court, or the Office of Court Administration of the Texas Judicial System and the employees' family members.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 13.0021, Election Code, to read as follows:

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

SECTION 2. Amends Section 13.0021(b), Election Code, as follows:

(b) Requires the registrar of the county to omit from the registration list the residence address for a registration applicant who is:

(1)-(4) creates these subdivisions from existing text and makes nonsubstantive changes;

(5) a current or former county clerk, district clerk, or county and district clerk, or a current or former employee of the office of a county clerk, district clerk, or county and district clerk;

(6) a current or former employee whose duties relate to court administration, including a court clerk, court coordinator, court administrator, law clerk, or staff attorney;

(7) a current or former employee of the Office of Court Administration of the Texas Judicial System (OCA) and entities administratively attached to the office; or

(8) a family member of a person listed in subdivisions (1)-(7), rather than a family member of a state judge, a federal judge, including a federal bankruptcy judge, a marshal of the United States Marshals Service, or a United States attorney.

Makes nonsubstantive changes to this subsection.

SECTION 3. Amends Section 72.016, Government Code, as follows:

Sec. 72.016. NOTIFICATION PROCEDURE FOR JUDICIAL PRIVACY. Requires the administrative director of the courts to develop a procedure to regularly notify county registrars, the Texas Department of Public Safety (DPS), the Texas Ethics Commission (TEC), and any other state or local government agency the office determines should be notified of the judges, judges' spouses, employees of the OCA and entities administratively attached to the office, and related family members whose personal information must be kept from public records, as provided under certain provisions, including Section 25.025 (Confidentiality of Certain Home Address Information), Tax Code.

SECTION 4. Amends Section 552.117, Government Code, by amending Subsections (a) and (b) and adding Subsection (b-1), as follows:

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

(1)-(17) makes no changes to these subdivisions;

(18)-(19) makes nonsubstantive changes to these subdivisions;

(20) a current or former county clerk, district clerk, or county and district clerk, or a current or former employee of the office of a county clerk, district clerk, or county and district clerk, regardless of whether the current or former clerk or employee complies with Section 552.024 or 552.1175 (Exception: Confidentiality

of Certain Personal Identifying Information of Peace Officers and Other Officials Performing Sensitive Governmental Functions);

(21) a current or former employee whose duties relate to court administration, including a court clerk, court coordinator, court administrator, law clerk, or staff attorney, regardless of whether the employee complies with Section 552.024 or 552.1175; or

(22) a current or former employee of OCA and entities administratively attached to the office, regardless of whether the employee complies with Section 552.024 or 552.1175.

(b) Creates an exception under Subsection (e-1).

(b-1) Requires a county clerk or district clerk on request of a person to whom Section 552.117 (Exception: Confidentiality of Certain Addresses, Telephone Numbers, Social Security Numbers, and Personal Family Information) applies to redact information described by Subsection (a) that relates to the person from any documents the clerk posts on an Internet website.

SECTION 5. Amends Section 552.1175, Government Code, by amending Subsections (a) and (e) and adding Subsection (e-1), as follows:

(a) Provides that this section applies only to certain persons, including a current or former county clerk, district clerk, or county and district clerk, or a current or former employee of the office of a county clerk, district clerk, or county and district clerk; a current or former employee whose duties relate to court administration, including a court clerk, court coordinator, court administrator, law clerk, or staff attorney; and a current or former employee of the OCA and entities administratively attached to OCA. Makes a nonsubstantive change.

(e) Creates an exception under Subsection (e-1).

(e-1) Requires a county clerk or district clerk on request of a person to whom this section applies to redact information described by Subsection (b) (relating to prohibiting certain information from being disclosed if the individual chooses to take certain actions) that relates to the person from any documents the clerk posts on an Internet website.

SECTION 6. Reenacts Section 25.025(a), Tax Code, as amended by Chapters 76 (S.B. 617), 152 (S.B. 870), 430 (H.B. 1911), 765 (H.B. 4504), and 937 (S.B. 1525), Acts of the 88th Legislature, Regular Session, 2023, and amends it, as follows:

(a) Provides that Section 25.025 applies only to certain persons, including a current or former county clerk, district clerk, or county and district clerk, or a current or former employee of the office of a county clerk, district clerk, or county and district clerk; a current or former employee whose duties relate to court administration, including a court clerk, court coordinator, court administrator, law clerk, or staff attorney; and a current or former employee of OCA and entities administratively attached to the office. Deletes existing text providing that this section applies to a current or former attorney for the Department of Family and Protective Services (DFPS). Makes nonsubstantive changes.

SECTION 7. Amends Section 521.121, Transportation Code, by amending Subsections (a) and (c) and adding Subsection (c-1), as follows:

(a) Requires that the driver's license include certain information, including, for a license holder using the procedure under Subsection (c), the street address of the courthouse in which the license holder or license holder's spouse or parent performs duties related to court administration, including a court clerk, court coordinator, court administrator, law clerk, or staff attorney, or the office address of the office in which the license holder or the license holder's spouse or parent performs duties as an employee of the office of a

county clerk, district clerk, or county and district clerk, or of OCA and entities administratively attached to OCA. Makes nonsubstantive changes.

(c) Requires DPS to establish a procedure, on a license holder's qualification for or appointment to office as a federal or state judge as defined by Section 1.005 (Definitions), or as a county clerk, district clerk, or county and district clerk, or as a federal bankruptcy judge, a marshal of the United States Marshals Service, a United States attorney, or for a license holder whose duties relate to court administration, including a court clerk, court coordinator, court administrator, law clerk, or staff attorney, or as an employee of the office of a county clerk, district clerk, or county and district clerk, or of the Office of Court Administration of the Texas Judicial System and entities administratively attached to the office, to omit the residence address of the judge, official, or employee and any family member of the judge, official, or employee on the license holder's license and to print, rather than include, in lieu of that address, the street address of the courthouse or office building in which the license holder or license holder's spouse or parent serves as a federal or state judge, official, or employee. Makes nonsubstantive changes.

(c-1) Provides that the residence address of a license holder whose residence address is omitted using the procedure under Subsection (c) is confidential and is available only for the official use of DPS or a law enforcement agency.

SECTION 8. Requires DPS, not later than November 1, 2026, to:

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

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

SECTION 9. Makes application of this Act prospective.

SECTION 10. Provides that, to the extent of any conflict, this Act prevails over another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 11. Effective date: September 1, 2025.