

By: Lowe

H.B. No. 3417

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of administrative subpoenas for offenses that involve the Internet-based sexual exploitation of a minor.

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

SECTION 1. Section 422.003, Government Code, is amended by adding Subsection (b-1) and amending Subsection (c) to read as follows:

(b-1) If the prosecuting attorney or officer of an ICAC task force issuing a subpoena under Subsection (b) determines that any of the following disclosures could significantly impede or jeopardize the investigation, the subpoena may provide that the electronic communication service or remote computing service to which the subpoena is directed may not:

(1) disclose that the subpoena has been issued;

(2) identify or describe any records or other documentation requested in the subpoena; or

(3) disclose whether records or other documentation has been provided in response to the subpoena.

(c) A subpoena under Subsection (b) must:

(1) describe any objects or items to be produced;

~~and~~

(2) prescribe a reasonable return date by which those objects or items must be assembled and made available; and

1           (3) if applicable, state the determination of the  
2 prosecuting attorney or officer of an ICAC task force described by  
3 Subsection (b-1).

4           SECTION 2. The change in law made by this Act applies only  
5 to a subpoena issued on or after the effective date of this Act. A  
6 subpoena issued before the effective date of this Act is governed by  
7 the law in effect on the date the subpoena was issued, and the  
8 former law is continued in effect for that purpose.

9           SECTION 3. This Act takes effect September 1, 2025.