

SUBJECT: Making personal information in application for disaster funds confidential

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 12 ayes — Phelan, Hernandez, Deshotel, Guerra, Harless, Holland,
Hunter, P. King, Parker, E. Rodriguez, Smithee, Springer

0 nays

1 absent — Raymond

WITNESSES: For — (*Registered, but did not testify:* Russell Mullins, Alterity Solutions, Inc.; Joe Buser, Traveling Coaches, Inc.)

Against — (*Registered, but did not testify:* Charlie Duncan, Texas Housers)

On — (*Registered, but did not testify:* Heather Lagrone, Texas General Land Office)

BACKGROUND: Government Code sec. 552, the Public Information Act, requires governmental bodies to disclose information to the public upon request, unless that information is considered confidential by constitutional or statutory law or judicial decision and excepted from public disclosure.

DIGEST: HB 3175 would make confidential the name, Social Security number, house number, street name, telephone number, and any other information the disclosure of which would identify an individual or household that applied for state or federal disaster recovery funds.

The street name and the amount of funds awarded to an individual or household would not be confidential after the date funds were awarded.

The bill would take effect September 1, 2019.

SUPPORTERS HB 3175 would protect disaster victims from identify theft by making

SAY: sensitive personal information included in an application for disaster recovery funds confidential. Identity thieves use sensitive personal information found in publicly available databases to steal financial information and commit fraud and other crimes. Disaster victims are in a vulnerable position from losing their homes and financial security, and they should be better protected from identity theft.

The bill would balance the need for transparent expenditure of public funds with personal privacy. To ensure transparency and accountability in the dispersal of recovery funds, an amendment could adjust the bill to allow for the release of census block group information in addition to the street name after funds were awarded.

OPPONENTS SAY: HB 3175 could make it difficult to track federal disaster recovery funds by preventing access to necessary information. Releasing the street name and amount of funds after they were awarded would not support an assessment of who applied for versus received assistance, reducing transparency and accountability in the dispersal of disaster funds.

NOTES: The bill author intends to offer a floor amendment that would specify that the street name and census block group and amount of disaster recovery funds awarded were not confidential after the date funds were awarded.

The amendment also would substitute "a person" for "an individual" in the bill's provisions.