

SUBJECT: Allowing exception for access to certain information of elected officers

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 12 ayes — Paddie, Hernandez, Deshotel, Harless, Howard, Hunter, P. King, Lucio, Metcalf, Raymond, Shaheen, Slawson

0 nays

1 absent — Smithee

WITNESSES: For — Betsy Price, City of Fort Worth; (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Kate Goodrich, City of Denton; Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Ender Reed, Harris County Commissioners Court; Julie Wheeler, Travis County Commissioners Court; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Justin Gordon, Office of Attorney General)

BACKGROUND: Government Code ch. 552, the Public Information Act, gives the public the right to request access to government information, with some exceptions to required public disclosure for certain information.

DIGEST: HB 1082 would add elected public officers to those whose information related to home address, home telephone number, emergency contact information, or Social Security number was excepted from the public availability requirement under the Public Information Act.

Elected public officers would be included among those whose property tax appraisal information was confidential and was available only for certain official use if that information identified the officer's home address and the elected officer chose to restrict public access to it.

The bill would apply only to a request for information that is received on after the bill's effective date and would prevail over other acts of the 87th Legislature relating to nonsubstantive additions and corrections.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

**SUPPORTERS  
SAY:**

HB 1082 would protect local elected public officers from disturbing and dangerous situations and prevent a chilling effect on candidates running for local office by providing for their sensitive personal information to be kept confidential.

Members of the Legislature and statewide elected officers currently have protection from disclosure of certain personal information that identifies the officer's home address, home telephone number, family information, or Social Security number. The bill would extend this protection to all elected public officers, which would include officers of local governments.

Elected local officers have faced frightening situations where protesters gathered outside of an officer's personal residence. Some of these protesters have been armed, used bullhorns, and even set up stages. There are appropriate venues for protest, but a private residence is not one of them. Elected officers' family members do not hold any office and neither do neighbors, so they should not be subjected to these types of demonstrations.

The hazards faced by elected officials due to public access to identifying information extends beyond protests. Elected officers across the state have faced threats, including death threats, and it is entirely possible that such threats could be directed at local elected officers. It is a difficult decision to run for office when doing so could subject your family to protests at their home and perhaps even violence. These are genuinely dangerous situations and the protections afforded to statewide officers and members

of the Legislature, and by extension their families, should be extended to officers of local governments.

The intent of the bill is not to withhold important information from voters or reduce an elected officer's accountability to them. Allowing certain property tax information to appear online is already a proactive process, and the bill would simply create a specific exemption for local elected officers. These officers would remain accountable to voters in every other way and the optional nature of restricting the information would let elected officers continue to allow public access if they chose.

CRITICS  
SAY:

While limiting public access to information such as Social Security numbers or about family members of elected officers is worth considering, voters should have access to information about an officer's place of residence. Information such as where in a district an elected officer lives or if the officer is current on property taxes can be important to voters. Allowing all elected officers in the state to choose to restrict home address information would put them in a separate class and potentially lessen their accountability to voters.