

BILL ANALYSIS

Senate Research Center

H.B. 836
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Human Services
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Engrossed

DIGEST

Currently, records in Texas are sealed 50 years after the date of a person's birth and 25 years after a person's death. Because indexes to these records are not addressed directly in the Government Code, many county clerks seal the indexes along with the actual records. This causes problems for genealogists and people searching for relatives. Additionally, many county clerks have expressed confusion as to whether or not they should seal the indexes with the records. H.B 836 sets forth regulations regarding access under the public information law to birth and death indexes.

PURPOSE

As proposed, H.B. 836 sets forth regulations regarding access under the public information law to birth and death indexes.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 552.115, Government Code, to exempt a birth or death record maintained by a local registration official (official) from the requirements of Section 552.021, except that a birth or death index maintained by the bureau of vital statistics of the Texas Department of Health or a local registration official is public information and available to the public when the birth or death record becomes public.

SECTION 2. Emergency clause.
Effective date: upon passage.