

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 247
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State Affairs
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Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, governmental agencies are authorized to release the personal information of a peace officer for which it receives an "open records" request under certain conditions. C.S.S.B. 247 prohibits state and local governmental agencies, such as a tax appraisal district, from releasing personal information. This bill also provides that a governmental body that receives a confidentiality request in writing from a peace officer may not release appraisal record information to the public that contains the peace officer's name, home address, home telephone number, social security number, or whether that officer has 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 Section 552.024, Government Code, by adding Subsection (f) to provide that this section does not apply to a person who is a peace officer to whom Section 552.1175 applies.

SECTION 2. Amends Section 552.117, Government Code, to delete language relating to a peace officer as defined by Article 2.12 (Who are peace officers), Code of Criminal Procedure, and to make a nonsubstantive change.

SECTION 3. Amends Chapter 552C, Government Code, by adding Section 552.1175, as follows:

Sec. 552.1175. CONFIDENTIALITY OF ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION OF PEACE OFFICERS. (a) Provides that information that relates to the home address, home telephone number, or social security number of a peace officer, as defined by Article 2.12, Code of Criminal Procedure, or that reveals whether the peace officer has family members is confidential and prohibits it from being disclosed to the public under this chapter if the peace officer chooses to restrict public access to the information and notifies the governmental body of the officer's choice on a form provided by the governmental body, accompanied by evidence of the officer's status.

(b) Provides that a choice made under Subsection (a) remains valid until rescinded in writing by the peace officer.

(c) Provides that this section does not apply to information in the tax appraisal records of an appraisal district to which Section 25.025, Tax Code, applies.

SECTION 4. Amends Chapter 25, Tax Code, by adding Section 25.025, as follows:

Sec. 25.025. CONFIDENTIALITY OF CERTAIN HOME ADDRESS INFORMATION.

Requires that information in appraisal records under Section 25.02 be confidential and available only under certain conditions for the official use of the appraisal district, this state, the comptroller, and taxing units and political subdivisions. Provides that a confidentiality choice remains valid until rescinded in writing by the peace officer. Provides that this section does not prohibit the public disclosure of information in appraisal records that identifies property according to an address if the information does not identify a peace officer who has made an election under this section in connection with the officer's address.

SECTION 5. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from original by adding new SECTIONS 1, 2, and 3 relating to exemption of and confidentiality of certain personal information of peace officers as defined by Article 2.12, Code of Criminal Procedure. Differs from original by renumbering original SECTIONS 1 and 2 to SECTIONS 4 and 5. Differs from original in SECTION 4 by eliminating a security officer and an employee of the Texas Department of Criminal Justice in Subsection (a), from those whose appraisal records under Section 25.02 are confidential; changes a reference from "an election" to "a choice made" in Subsection (b); and changes a reference from "an individual" to "a peace officer" in Subsection (c).