

BILL ANALYSIS

Senate Research Center
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H.B. 1027
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Criminal Justice
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Engrossed

DIGEST AND PURPOSE

In a case where there is no prevailing public interest in releasing identifying information regarding a victim of a violent crime, workplace privacy and security should prevail. The National Center for Victims of Crime has warned that media exposure can often make crime victims feel further violated and disoriented. H.B. 1027 protects the right to privacy of public employees that have been victims of violent crime.

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 552.132, Government Code, by amending Subsections (a) and (d) and adding Subsection (f), as follows:

(a) Establishes that Subsection (f) is an exception to the definition of “crime victim.”

(d) Makes a conforming change.

(f) Authorizes an employee of a governmental body who is also a crime victim under Subchapter B, Chapter 56 (Crime Victims’ Compensation), Code of Criminal Procedure, regardless of whether the employee has filed an application for compensation under that subchapter, to elect whether to allow public access to information held by the attorney general’s office or other governmental body that would identify or tend to identify the crime victim, including a photograph or other visual representation of the victim. Requires an election under this subsection to be made in writing on a form developed by the governmental body, be signed by the employee, and be filed with the governmental body before the third anniversary of the latest to occur of one of the following: (1) the date the crime was committed; (2) the date employment begins; or (3) the date the governmental body develops the form and provides it to employees. Provides that the identifying information is excepted from disclosure until the third anniversary of the date the crime was committed, if the employee fails to make an election. Authorizes the election, in case of disability, impairment, or other incapacity of the employee, to be made by the guardian of the employee or former employee.

SECTION 2. Effective date: upon passage or the 91st day after adjournment.