

BILL ANALYSIS

Senate Research Center
80R1398 JRD-D

S.B. 123
By: Deuell
State Affairs
2/27/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Cities often collect and maintain personal information on all participants of youth recreational activities for the purposes of emergency situations and to ensure the release of a child to the appropriate caregiver. Currently, this personal information of persons younger than 18 years of age, including name, age, home address, photograph, telephone number, social security number, and names of family members or guardians, is subject to the Open Records Act and is considered public information available to the public.

As proposed, S.B. 123 provides an exception to the Open Records Act, Chapter 552, Government Code, to protect the personal information of persons under 18 years of age.

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 Subchapter C, Chapter 552, Government Code, by adding Section 552.148, as follows:

Sec. 552.148. EXCEPTION: PERSONAL INFORMATION CONCERNING MINOR. Provides that information is excepted from the requirements of Section 552.021 (Availability of Public Information) if the information concerns an individual who is younger than 18 years of age at the time the governmental body receives the request for the information, and the information:

- (1) relates to the name, age, home address, home or personal telephone number, or social security number of the individual;
- (2) is a photograph of the individual; or
- (3) reveals the name of a guardian of the individual or a member of the individual's family.

SECTION 2. Effective date: upon passage or September 1, 2007.