

BILL ANALYSIS

Senate Research Center
85R5844 SRS-D

H.B. 1278
By: Dutton (Miles)
Criminal Justice
5/22/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that there are inadequate protections in place regarding the availability of personal information of current or former district attorneys, criminal district attorneys, and county or municipal attorneys whose jurisdiction includes any criminal law or child protective services matters and the current or former employees of such attorneys. H.B. 1278 protects these individuals and their families from potential reprisal by providing for the confidentiality of certain personal information that relates to such attorneys and their employees.

H.B. 1278 amends current law relating to availability of personal information of certain current and former prosecutors.

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 552.117(a), Government Code, as follows:

(a) Provides that information is excepted from the requirements of Section 552.021 (Availability of Public Information) if it is information that relates to certain contact information or the social security number of the following person or that reveals whether the person has family members:

(1) through (9) makes no changes to these subdivisions;

(10) and (11) makes nonsubstantive changes to these subdivisions;

(12) a current or former district attorney criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters, regardless of whether the current or former attorney complies with Section 552.024 (Electing to Disclose Address and Telephone Number) or 552.1175 (Confidentiality of Certain Personal Identifying Information of Peace Officers, County Jailers, Security Officers, Employees of Certain Criminal or Juvenile Justice Agencies or Offices, and Federal and State Judges); or

(13) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters, regardless of whether the current or former employee complies with Section 552.024 or 552.1175.

SECTION 2. Amends Section 552.1175(a), Government Code, as follows:

(a) Provides that this section applies only to:

(1) through (4) makes no changes to these subdivisions;

(5) a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters, rather than employees of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(6) through (13) makes no changes to these subdivisions.

SECTION 3. Amends Section 25.025(a), Tax Code, as follows:

(a) Provides that this section (Confidentiality of Certain Home Address Information) applies only to:

(1) through (6) makes no changes to these subdivisions;

(7) a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(7-a) creates this subdivision from existing text and makes no further changes to this subdivision;

(8) through (17) makes no changes to these subdivisions.

SECTION 4. Makes application of Sections 552.117(a) and 552.1175(a), Government Code, and Section 25.025(a), Tax Code, prospective.

SECTION 5. Effective date: upon passage or September 1, 2017.