

BILL ANALYSIS

Senate Research Center
86R14997 MCK-D

H.B. 759
By: Wu et al. (Paxton)
Business & Commerce
5/12/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 759 amends current law relating to the availability of personal information of a child protective services caseworker, adult protective services caseworker, or investigator.

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. Reenacts Section 552.117(a), Government Code, as amended by Chapters 34 (S.B. 1576), 190 (S.B. 42), and 1006 (H.B. 1278), Acts of the 85th Legislature, Regular Session, 2017, and amends it 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 the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:

(1)–(11) makes no changes to these subdivisions;

(12) and (13) makes nonsubstantive changes to these subdivisions;

(14) and (15) creates these subdivisions from existing text and makes nonsubstantive changes to these subdivisions; or

(16) a current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services (DFPS), regardless of whether the caseworker or investigator complies with Section 552.024 (Electing to Disclose Address and Telephone Number) or 552.1175, or a current or former employee of a DFPS contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of DFPS.

SECTION 2. Amends the heading to Section 552.1175, Government Code, to read as follows:

Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS.

SECTION 3. Amends Section 552.1175(a), Government Code, as follows:

(a) Provides that this section applies only to certain persons, including a current or former child protective services caseworker, adult protective services caseworker, or investigator for DFPS or a current or former employee of a DFPS contractor performing child protective services caseworker, adult protective services caseworker, or investigator

functions for the contractor on behalf of DFPS. Makes nonsubstantive changes to this subsection.

SECTION 4. Reenacts Section 25.025(a), Tax Code, as amended by Chapters 34 (S.B. 1576), 41 (S.B. 256), 193 (S.B. 510), 1006 (H.B. 1278), and 1145 (H.B. 457), Acts of the 85th Legislature, Regular Session, 2017, to provide that this section (Confidentiality of Certain Home Address Information) applies only to certain entities, including a current or former child protective services caseworker, adult protective services caseworker, or investigator for DFPS or a current or former employee of a DFPS contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of DFPS and to make nonsubstantive changes to this subsection.

SECTION 5. Makes application of Sections 552.117 and 552.1175, Government Code, and Section 25.025, Tax Code, as amended by this Act, prospective.

SECTION 6. Provides that, to the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 7. Effective date: upon passage or September 1, 2019.