

BILL ANALYSIS

Senate Research Center

S.B. 1494
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Department of Family and Protective Services' (DFPS) Child Protective Services (CPS) caseworkers and investigators are not included on the list of those who can apply to have their address kept confidential so it does not appear on the Appraisal District website or the Voter Registration website.

The goal of this bill is allow to CPS caseworkers and investigators to keep their address confidential so bad actors are less able to attain the information and threaten or harass the employee at their residence. CPS caseworkers and investigators work directly with families and abused children who are at risk of being tracked down by unhappy parents and this may lessen their desire to vote or live in communities close to the families they serve.

S.B. 1494 will include these caseworkers and investigators on par with other public servants such as police officers, judges, district attorneys, and jailers who are able to keep their information confidential.

As proposed, S.B. 1494 amends current law relating to the confidentiality of personal information of certain employees and contractors of the Department of Family and Protective Services.

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)–(13) makes nonsubstantive changes to these subdivisions;

(14) creates this subdivision from existing Subdivision (12) and makes a nonsubstantive change;

(15) creates this subdivision from existing Subdivision (12) and makes a nonsubstantive change; or

(16) a current or former child 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 or investigator functions for the contractor on behalf of DFPS.

Deletes redundant text relating to a current or former district attorney, criminal district attorney, or county attorney whose jurisdiction includes any criminal law or child protective services matter.

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, to add a current or former child protective services caseworker or investigator for DFPS or a current or former employee of a DFPS contractor performing child protective services caseworker or investigator functions for the contractor on behalf of DFPS to a list of persons to whom this section applies and to make nonsubstantive changes.

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, and amends it to make conforming and nonsubstantive changes.

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.