

BILL ANALYSIS

S.B. 1134
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law protects federal and state judges from the public disclosure of certain personal information, such as home addresses and phone numbers, but this protection does not extend to federal marshals, U.S. attorneys, their families, or the families of state and federal judges. This is problematic because, when it comes to the risk of criminal retaliation and the accessibility of personal information, these public servants are just as susceptible to threats as federal and state judges. S.B. 1134 extends the existing privacy protections for judges to include these individuals and their families.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1134 extends the applicability of statutory provisions establishing confidentiality of personal identifying information in certain contexts to the following individuals:

- U.S. marshals, U.S. attorneys, and their family members;
- federal bankruptcy judges and their family members; and
- a minor child or adult child residing in the home of a federal judge, state judge, or municipal court judge, in addition to statutory provisions regarding confidentiality for a spouse of such judges.

The bill defines "family member" by reference as a person's spouse, minor child, or adult child who resides in the person's home.

S.B. 1134 amends the Election Code to require a county voter registrar to omit an applicant's residence address from the county's voter registration list if the applicant is a federal bankruptcy judge, a U.S. marshal, a U.S. attorney, or a family member of such an individual or of a federal or state judge. The bill establishes that the residence address of such an individual provided on a voter registration application is confidential and does not constitute public information for purposes of state public information law if the applicant included an affidavit with the application describing the applicant's status or provided such an affidavit or an applicable form to the registrar.

S.B. 1134 requires a county voter registrar, on receiving notice from the Office of Court Administration of the Texas Judicial System (OCA) of the qualification for office of a person residing in the county as a federal bankruptcy judge, a U.S. marshal, or a U.S. attorney and of

the names of the judge's or federal official's family members, if applicable, to omit from the voter registration list the residence address of the judge or official and any family members of the judge or official and to prepare a certain memorandum of the notice and retain the memorandum on file with the registration application. The bill extends the equivalent requirement applicable to a person who qualifies for office as a federal or state judge to include the residence address of the family members of such a judge.

S.B. 1134 requires the Texas Ethics Commission (TEC), on receiving notice from OCA of an applicable judge's qualification for office or on receipt of a written request from a federal bankruptcy judge or from a family member of a state judge or a federal judge, including a federal bankruptcy judge, to remove or redact the residence address of the judge or judge's family member from any report regarding political contributions and expenditures, loans, and related payments that is filed by the judge in the judge's capacity or made available on the Internet under related statutory provisions.

S.B. 1134 amends the Government Code to require the TEC, on receiving notice from OCA of an applicable judge's qualification for office, to remove or redact from any personal financial statement or information derived from such a statement that is available to the public the residence address of a federal bankruptcy judge or of a family member of a state judge or another federal judge.

S.B. 1134 extends a requirement for the Department of Public Safety (DPS) to establish a procedure for the handgun license of a federal or state judge or such a judge's spouse to replace the license holder's residence address with the street address of the applicable courthouse to also apply to a federal bankruptcy judge, U.S. marshal, or U.S. attorney and to a family member of such an individual or a family member of a state judge or another federal judge.

S.B. 1134 excepts the following from the public availability requirement of state public information law:

- information that relates to the home address, home telephone number, emergency contact information, or social security number of a current or former federal bankruptcy judge or U.S. marshal, family member of such a judge or marshal, or family member of a current or former state or federal judge; and
- information that reveals whether such a judge or official has family members.

S.B. 1134 amends the Local Government Code to require the clerk or secretary of a municipality with a population of 100,000 or more, on an applicable written request, to remove or redact the residence address of a municipal court judge's family member from a financial disclosure statement filed by the judge before that statement is made available to the public. The bill requires a county clerk of a qualifying county, on receiving notice from OCA of a state judge's qualifications for office or on receipt of an applicable written request, to remove or redact the residence address of a state judge's family member from any required financial statement filed by the judge before the statement is made available to the public.

S.B. 1134 amends the Property Code to require a county clerk, on receipt of a written request from a federal bankruptcy judge, a U.S. marshal, a U.S. attorney, or a family member of such an individual or of a state judge or another federal judge, to omit or redact from a real property instrument that is available in an online public database the social security number, driver's license number, and residence address of the judge, marshal, attorney, or family member.

S.B. 1134 amends the Tax Code to make confidential and available only for specified official use information in a local appraisal record that identifies the home address of a federal bankruptcy judge, a U.S. marshal, or a family member of such an individual or of a state judge or another federal judge, subject to certain conditions.

S.B. 1134 amends the Transportation Code to extend a requirement for DPS to establish a procedure for the driver's license of a federal or state judge or such a judge's spouse to replace the license holder's residence address with the street address of the applicable courthouse to also apply to a federal bankruptcy judge, U.S. marshal, or U.S. attorney and to a family member of such an individual or of a state judge or another federal judge. The bill includes as an applicable replacement address the street address of an office building in which the judge or official serves and specifies that the address change procedure is available on the judge's or official's qualification for or appointment to office.

EFFECTIVE DATE

September 1, 2021.