

BILL ANALYSIS

S.B. 56
By: Zaffirini
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Federal prosecutors and public defenders routinely interact with persons with criminal records who are potentially dangerous. Distressingly, disgruntled defendants may easily access their personal information, or the personal information of their family members, in various public records. Although current law includes confidentiality protections for the personal identifying information of district and county attorneys, federal and state judges, and other court personnel, it has been noted that federal prosecutors and public defenders are not afforded all of these protections despite facing similar safety risks. S.B. 56 seeks to address this issue by providing for the confidentiality of certain personal information of current or former federal prosecutors and public defenders.

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. 56 amends the Government Code to except from the public availability requirement of state public information law information relating to the home address, home telephone number, emergency contact information, or social security number of the following persons or that reveals whether the person has family members, regardless of whether the person has elected to disclose or restrict public access to the information:

- a current or former federal public defender;
- a current or former deputy federal public defender;
- a current or former assistant federal public defender; and
- the spouse or child of those public defenders.

The bill establishes that the exception from the public availability requirement of state public information law of that information with respect to a current or former U.S. attorney or assistant U.S. attorney and their spouse or child is regardless of whether the person has elected to disclose or restrict public access to the information. The bill includes those attorneys and public defenders among the individuals whose specified personal identifying information is confidential and prohibited from public disclosure if the individual chooses to restrict public access to the information and notifies the governmental body of that choice on a certain form accompanied by evidence of the individual's status.

S.B. 56 amends the Tax Code to make statutory provisions relating to the confidentiality of certain home address information in appraisal records applicable to a current or former federal

public defender, deputy federal public defender, or assistant federal public defender and the spouse and child of the public defender.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.