

- SUBJECT:** Making certain licensees' email addresses subject to disclosure
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 11 ayes — Phelan, Hernandez, Guerra, Harless, Hunter, P. King, Parker, Raymond, E. Rodriguez, Smithee, Springer
- 0 nays
- 2 absent — Deshotel, Holland
- WITNESSES:** For — (*Registered, but did not testify:* Russell Mullins, Alterity Solutions, Inc.; Todd Kercheval, Texas Pest Control Association; Joe Buser, Traveling Coaches, Inc.; Russell Hayter; Alexie Swirsky)
- Against — None
- BACKGROUND:** Government Code ch. 552, the Public Information Act, requires governmental bodies to disclose information to the public upon request, unless that information is excepted from disclosure.
- Under sec. 552.137, an email address of a member of the public that is provided for the purpose of communicating with a governmental body is confidential and not subject to disclosure. Sec. 552.137(c) lists email addresses to which the confidentiality does not apply.
- Some have noted that email addresses provided by applicants for or holders of occupational licenses issued by certain state agencies are unable to be obtained through a public information request.
- DIGEST:** CSHB 3631 would make an email address provided to a governmental body by an applicant for or holder of an occupational license issued by the Department of Agriculture or the Texas Department of Licensing and Regulation subject to disclosure under the Public Information Act.
- The bill would apply only to a request for information received on or after

the bill's effective date.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.