

## **BILL ANALYSIS**

Senate Research Center

H.B. 2220  
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State Affairs  
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Engrossed

### **DIGEST**

Currently, the Texas Department of Transportation is forced to sell the contents of its *Texas Highways* magazine subscriber list under terms of the Texas Open Records Act to anyone requesting it. By order of the attorney general, subscribers to *Texas Highways* cannot prevent disclosure of personal information to those who request the subscriber list. H.B. 2220 would provide all subscribers to *Texas Highways* choice to protect the privacy of their personal information, control who may purchase the subscriber list, and receive fair market value for sales of the list.

### **PURPOSE**

As proposed, H.B. 2220 outlines provisions regarding the disclosure by the Texas Department of Transportation of information pertaining to persons who subscribe to *Texas Highways* magazine or purchase certain promotional items from the department.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Transportation Commission under SECTION 1 (Sections 4(a) and (c), Article 6144e, V.T.C.S.) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 6144e, V.T.C.S., by adding Section 4, as follows:

Sec. 4. DISCLOSURE OF *TEXAS HIGHWAYS* SUBSCRIBER INFORMATION OR PURCHASER INFORMATION. Prohibits the Texas Department of Transportation (department) from disclosing to any person certain information of a person who is or has been a subscriber to *Texas Highways* magazine or has purchased from the department a promotional item described by Section 3(d) of this article, except as provided by this section or a rule adopted by the Texas Transportation Commission (commission). Provides that Chapter 552, Government Code, does not apply to subscriber or purchaser information described by Subsection (a) of this section. Sets forth policies the commission, by rule, is required to establish. Sets forth requirements for policies established by the commission. Provides that the department is immune from civil or criminal liability if the department commits an unintentional violation of this section or a rule adopted under this section. Provides that, in this section, a reference to the department includes an officer, employee, or agent of the department.

SECTION 2. Emergency clause.  
Effective date: upon passage.