

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1379
By: Allen (Armbrister)
Criminal Justice
5/13/1999
Committee Report (Substituted)

DIGEST

Currently, an inmate can obtain sensitive information about other inmates through open records requests by friends and family. This creates problems in a prison environment because an inmate with this information can use it to compromise the safety or independence of another inmate. C.S.H.B. 1379 would establish restrictions regarding the information about an inmate of the Texas Department of Criminal Justice that is subject to public disclosure or excepted from public disclosure.

PURPOSE

As proposed, C.S.H.B. 1379 establishes restrictions regarding the information about an inmate of the Texas Department of Criminal Justice that is subject to public disclosure or excepted from public disclosure.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 552C, Government Code, by adding Section 552.131, as follows:

Sec. 552.131. EXCEPTION: CERTAIN INFORMATION RELATING TO INMATE OF DEPARTMENT OF CRIMINAL JUSTICE. Provides that information obtained or maintained by the Texas Department of Criminal Justice (TDCJ) is excepted from the requirements of Section 522.021 if it is information about an inmate who is confined in a facility operated by or under a contract with TDCJ, with exceptions. Establishes conditions for which Subsection (a) does not apply. Provides that this section does not affect whether information is considered confidential or privileged under Section 508.313. Provides that the release of certain information is not considered a release of information to the public for purposes of Section 552.007 and does not waive the right to assert in the future that the information is excepted from required disclosure under this section or other law.

SECTION 2. Amends Chapter 552B, Government Code, by adding Section 552.029, as follows:

Sec. 522.029. RIGHT OF ACCESS TO CERTAIN INFORMATION RELATING TO INMATE OF DEPARTMENT OF CRIMINAL JUSTICE. Sets forth information subject to required disclosure about an inmate who is confined in a facility operated by or under a contract with TDCJ, with certain exceptions.

SECTION 3. Amends Section 508.313, Government Code, by adding Subsection (f), to provide that this section does not apply to information that is subject to required public disclosure under Section 552.029.

SECTION 4. Emergency clause.
Effective date: upon passage.