

BILL ANALYSIS

Senate Research Center

H.B. 2174
By: Heflin (Williams)
Criminal Justice
5/22/2003
Engrossed

DIGEST AND PURPOSE

Section 552.008 of the Government Code allows a legislator, legislative agency, or legislative committee to gain access to confidential information from a governmental body, provided that the requestor states that the information is requested for legislative purposes. A governmental body may request that the legislator sign a confidentiality agreement on the information received.

Although Section 552.352 of the Government Code provides penalties for the distribution of confidential information, there is no provision in current law relating to the consequences of misuse of information to which a person legally has access as a legislator or legislative employee. H.B. 2174 provides a penalty for unauthorized disclosure or inspection, or other misuse, of certain confidential information.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 552, Government Code, by adding Section 552.0085, as follows:

Sec. 552.0085. USE OF CONFIDENTIAL INFORMATION; OFFENSE. (a) Provides that a person who legally has access to confidential information under Section 552.008 or another law that permits such person's access to such confidential information commits an offense if the person knowingly takes certain actions.

(b) Provides that an offense under Subsection (a) is a Class A misdemeanor.

(c) Provides that a violation under this section constitutes official misconduct.

SECTION 2. Effective date: September 1, 2003.