

BILL ANALYSIS

Senate Research Center
78R10151 JD-F

C.S.S.B. 644
By: Wentworth
Natural Resources
4/3/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, under Texas' open records law, information is public if a governmental body maintains the records. Thus, for example, any person or group could obtain personal information regarding any holder of a private pesticide applicator license. C.S.S.B. 644 prohibits a governmental entity from disclosing personal information relating to certain persons who hold a private pesticide applicator license.

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 Chapter 76E, Agriculture Code, by adding Section 76.119, as follows:

Sec. 76.119. DISCLOSURE OF INFORMATION RELATING TO PRIVATE PESTICIDE APPLICATOR LICENSE HOLDERS. (a) Defines "predator control device."

(b) Prohibits a governmental entity in this state from disclosing certain personal information regarding certain persons or information identifying the land on which a predator control device has been used, is being used, or is intended to be used, if disclosure of the information would reveal certain personal information of certain persons.

(c) Authorizes a governmental entity to disclose to certain persons and entities certain information regarding a person who holds a private pesticide applicator license issued under this subchapter, who is authorized to use a predator control device, and who either has used a predator control device or has the intent to use a predator control device.

(d) Provides that a governmental entity and the officers and employees of the governmental entity are immune from civil or criminal liability for an unintentional violation of this section.

SECTION 2. Effective date: September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Differs from the original in SECTION 1, in proposed Section 76.119(b), Agriculture Code, by creating a new Subdivision (1) and new paragraphs (A), (B), and (C) in Subdivision (1) from existing text in Subsection (b). Creates new Subdivisions (2) and (3) in proposed Subsection (b).