

BILL ANALYSIS

Senate Research Center

H.B. 2961
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Education
5/8/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties assert that identity theft is common and that Social Security numbers need to be protected. The parties contend that an employee of a school district must choose whether to allow public access to that employee's Social Security number but maintain that there is not an overriding argument favoring that public access. The parties also maintain that employees could unknowingly make their Social Security numbers public if they fail to choose to make that information private or if the district requires employees to allow public access to their Social Security numbers. In addition, the parties observe that, while a Social Security number of a living person is excepted from disclosure under public information law, it is not confidential.

H.B. 2961 seeks to protect the Social Security number of a school district employee or former employee from public disclosure.

H.B. 2961 amends current law relating to the social security numbers of school district employees.

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 Section 552.024, Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires each employee or official of a governmental body and each former employee or official of a governmental body, except as provided by Subsection (a-1), to choose whether to allow public access to the information in the custody of the governmental body that relates to the person's home address, home telephone number, emergency contact information, or social security number, or that reveals whether the person has family members.

(a-1) Prohibits a school district from requiring an employee or former employee of the district to choose whether to allow public access to the employee's or former employee's social security number.

SECTION 2. Amends Section 552.147, Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Provides that the social security number of a living person, except as provided by Subsection (a-1), is excepted from the requirements of Section 552.021 (Availability of Public Information), but is not confidential under this section (Social Security Numbers) and this section does not make the social security number of a living person confidential under another provision of this chapter (Public Information) or other law.

(a-1) Provides that the social security number of an employee of a school district in the custody of the district is confidential.

SECTION 3. Amends Subchapter D, Chapter 11, Education Code, by adding Section 11.1514, as follows:

Sec. 11.1514. SOCIAL SECURITY NUMBERS. Requires the board of trustees of an independent school district to adopt a policy prohibiting the use of the social security number of an employee of the district as an employee identifier other than for tax purposes.

SECTION 4. Effective date: September 1, 2013.