

BILL ANALYSIS

Senate Research Center
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H.B. 2828
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Business & Commerce
5/19/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2828 amends current law relating to the exception of certain information related to the humane disposition by a municipality or county of an animal from required disclosure under the public information law.

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 C, Chapter 552, Government Code, by adding Section 552.1177, as follows:

Sec. 552.1177. EXCEPTION: CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO HUMANE DISPOSITION OF ANIMAL. (a) Provides that, except as provided by Subsection (b), information is confidential and excepted from the requirements of Section 552.021 (Availability of Public Information) if the information relates to the name, address, telephone number, e-mail address, driver's license number, social security number, or other personally identifying information of a person who obtains ownership or control of an animal from a municipality or county making a humane disposition of the animal under a municipal ordinance or an order of the commissioners court.

(b) Authorizes a governmental body to disclose information made confidential by Subsection (a) to a governmental entity, or to a person who under a contract with a governmental entity provides animal control services, animal registration services, or related services to the governmental entity, for purposes related to the protection of public health and safety.

(c) Provides that a governmental entity or other person that receives information under Subsection (b):

- (1) is required to maintain the confidentiality of the information;
- (2) is prohibited from disclosing the information under this chapter (Public Information); and
- (3) is prohibited from using the information for a purpose that does not directly relate to the protection of public health and safety.

(d) Provides that a governmental body, by providing public information under Subsection (b) that is confidential or otherwise excepted from required disclosure under law, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right to assert exceptions to required disclosure of the information in the future.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2019.