

## **BILL ANALYSIS**

Senate Research Center

S.B. 662  
By: Campbell  
Business & Commerce  
6/3/2019  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, Texas law provides for the confidentiality of certain personal information for many state employees. Home addresses, phone numbers, social security numbers, emergency contacts, and names of family members are not disclosed in the open records request process.

Due to the public nature of their service, members of the legislature and statewide elected officials may also face potential risks related to the release of certain personal information. S.B. 662 recognizes that these threats, while rare, can put the safety of elected officials and their families in jeopardy. S.B. 662 allows for the confidentiality of certain personal information related to members of the legislature and statewide elected officials. (Original Author's/Sponsor's Statement of Intent)

S.B. 662 amends current law relating to the availability of personal information of a statewide elected official or member of the legislature.

### **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. Reenacts Section 552.117(a), Government Code, as amended by Chapters 34 (S.B. 1576), 190 (S.B. 42), and 1006 (H.B. 1278), Acts of the 85th Legislature, Regular Session, 2017, and amends it, as follows:

(a) Provides that information is excepted from the requirements of Section 552.021 (Availability of Public Information) if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:

(1)–(11) makes no changes to these subdivisions;

(12) and (13) makes nonsubstantive changes to these subdivisions;

(14) creates this subdivision from existing Subdivision (12), as amended by Chapter 34 (S.B. 1576), Acts of the 85th Legislature, Regular Session, 2017, and makes no further changes;

(15) creates this subdivision from existing Subdivision (12), as amended by Chapter 190 (S.B. 42), Acts of the 85th Legislature, Regular Session, 2017, and makes no further changes; or

(16) a state officer elected statewide or a member of the legislature, regardless of whether the officer or member complies with Section 552.024 (Electing to Disclose Address and Telephone Number) or 552.1175. Deletes existing Subdivision (13), as amended by Chapter 190 (S.B. 42), Acts of the 85th Legislature, Regular Session, 2017.

SECTION 2. Amends the heading to Section 552.1175, Government Code, to read as follows:

Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS.

SECTION 3. Amends Section 552.1175(a), Government Code, as follows:

(a) Provides that this section only applies to:

(1)–(12) makes no changes to these subdivisions;

(13) and (14) makes nonsubstantive changes to these subdivisions; and

(15) state officers elected statewide and members of the legislature.

SECTION 4. Reenacts Section 25.025(a), Tax Code, as amended by Chapters 34 (S.B. 1576), 41 (S.B. 256), 193 (S.B. 510), 1006 (H.B. 1278), and 1145 (H.B. 457), Acts of the 85th Legislature, Regular Session, 2017, and amends it, as follows:

(a) Provides that this section applies only to:

(1)–(6) makes no changes to these subdivisions;

(7) and (8) creates these subdivisions from existing Subdivisions (6), as amended by Chapter 41 (S.B. 256), Acts of the 85th Legislature, Regular Session, 2017, and (7), as amended by Chapter 41 (S.B. 256), Acts of the 85th Legislature, Regular Session, 2017, and makes no further changes to these subdivisions;

(9) and (10) creates these subdivisions from existing Subdivision (8), as amended by Chapter 41 (S.B. 256), Acts of the 85th Legislature, Regular Session, 2017, makes no further changes to these subdivisions, and renumbers subsequent subdivisions accordingly;

(11)–(20) makes no further changes to these subdivisions;

(21) makes a nonsubstantive change to this subdivision;

(22) creates this subdivision from existing Subdivision (18), as amended by Chapter 34 (S.B. 1576), Acts of the 85th Legislature, Regular Session, 2017, and makes a nonsubstantive change to this subdivision;

(23) creates this subdivision from existing Subdivision (18), as amended by Chapter 193 (S.B. 510), Acts of the 85th Legislature, Regular Session, 2017, and makes a nonsubstantive change to this subdivision; and

(24) a state officer elected statewide or a member of the legislature.

SECTION 5. Makes application of Sections 552.117 (Exception: Confidentiality of Certain Addresses, Telephone Numbers, Social Security Numbers, and Personal Family Information) and 552.1175, Government Code, and Section 25.025 (Confidentiality of Certain Home Address Information), Tax Code, prospective.

SECTION 6. Provides that, to the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 7. Effective date: upon passage or September 1, 2019.