

- SUBJECT:** Shielding personal information of federal prosecutor, public defender
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 9 ayes — Collier, K. Bell, Cason, Cook, Crockett, Hinojosa, A. Johnson, Murr, Vasut
- 0 nays
- SENATE VOTE:** On final passage, April 9 — 31-0, on Local and Uncontested Calendar
- WITNESSES:** No public hearing.
- BACKGROUND:** Under Government Code sec. 552.117, information related to the home address, home telephone number, emergency contact information, or social security number of certain persons, including district and county attorneys, federal and state judges, and other court personnel, or information that reveals whether the person has family members, is excepted from public information availability.
- Interested parties note that federal prosecutors and public defenders also interact with defendants in the criminal justice system and should be afforded confidentiality protections.
- DIGEST:** SB 56 would except from the public availability requirement of state public information law information relating to the home address, home telephone number, emergency contact information, or social security number of certain public defenders and their families, regardless of whether the defender had elected to disclose or restrict public access to the information. Information that revealed whether the public defender had family members also would be excepted.
- Such information would be excepted for:
- a current or former federal public defender;
 - a current or former deputy public defender;

- a current or former assistant federal public defender; and
- the spouse or child of those public defenders.

The exception from the public availability requirement of that information in the case of a current or former U.S. attorney or assistant U.S. attorney and that person's spouse or child also would apply regardless of whether the person had elected to disclose or restrict public access to the information.

The bill would make Tax Code provisions relating to the confidentiality of certain home address information in appraisal records applicable to a current or former federal public defender, deputy federal public defender, or assistant federal public defender, and a defender's spouse and child.

SB 56 also would include those U.S. attorneys and federal public defenders among the individuals whose specified personal identifying information was confidential and prohibited from public disclosure if the individual chose to restrict public access to the information and notified the governmental body of that choice on a certain form accompanied by evidence of the individual's status.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.