

## **BILL ANALYSIS**

C.S.H.B. 298  
By: Miller  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, the Texas Parks and Wildlife Commission (the commission) is required to adopt policies for the sale of a mailing list containing the names and addresses of customers of the Parks and Wildlife Department (the department). As a result, this information may be viewed by the general public once the mailing list is in circulation. In addition, the e-mail addresses of department customers are currently not protected from disclosure. The purpose of C.S.H.B. 298 is to prohibit the disclosure of certain personal information about the department's customers in the form of a mailing list, and to include e-mail addresses within that category of personal information.

### **RULEMAKING AUTHORITY**

It is the opinion of the committee that rulemaking authority is expressly delegated to the Parks and Wildlife Commission in SECTION ONE (Section 11.030(c-1), Parks and Wildlife Code) of this bill.

### **ANALYSIS**

C.S.H.B. 298 amends Section 11.030 of the Parks and Wildlife Code (the code) to provide that the e-mail address of one of the customers of the Parks and Wildlife Department (the department) may not be disclosed except as authorized under Section 11.030 or Section 12.0251 of the code.

The bill repeals the requirement that the Parks and Wildlife Commission (the commission) adopt, by rule, policies relating to the sale of a mailing list consisting of the names and addresses of the department's customers. The bill maintains the commission's rulemaking authority to adopt policies relating to the release and use by the department of customer information, but provides that these policies must prohibit the sale of a mailing list containing certain personal information about its customers (including names and addresses) as outlined in Section 11.030(a) of the code. "Mailing list" is defined as one or more items of customer information described in Section 11.030(a) of the code relating to more than one person.

The bill provides that the policies adopted by the commission may not be construed to restrict access to such personal customer information by a person who is entitled by law to receive the information.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 298 amends Chapter 11 of the Parks and Wildlife Code rather than amending the Public Information Act as the original would have done.

## **BILL ANALYSIS**

C.S.H.B. 298  
By: Miller  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, the Texas Parks and Wildlife Commission (the commission) is required to adopt policies for the sale of a mailing list containing the names and addresses of customers of the Parks and Wildlife Department (the department). As a result, this information may be viewed by the general public once the mailing list is in circulation. In addition, the e-mail addresses of department customers are currently not protected from disclosure. The purpose of C.S.H.B. 298 is to prohibit the disclosure of certain personal information about the department's customers in the form of a mailing list, and to include e-mail addresses within that category of personal information.

### **RULEMAKING AUTHORITY**

It is the opinion of the committee that rulemaking authority is expressly delegated to the Parks and Wildlife Commission in SECTION ONE (Section 11.030(c-1), Parks and Wildlife Code) of this bill.

### **ANALYSIS**

C.S.H.B. 298 amends Section 11.030 of the Parks and Wildlife Code (the code) to provide that the e-mail address of one of the customers of the Parks and Wildlife Department (the department) may not be disclosed except as authorized under Section 11.030 or Section 12.0251 of the code.

The bill repeals the requirement that the Parks and Wildlife Commission (the commission) adopt, by rule, policies relating to the sale of a mailing list consisting of the names and addresses of the department's customers. The bill maintains the commission's rulemaking authority to adopt policies relating to the release and use by the department of customer information, but provides that these policies must prohibit the sale of a mailing list containing certain personal information about its customers (including names and addresses) as outlined in Section 11.030(a) of the code. "Mailing list" is defined as one or more items of customer information described in Section 11.030(a) of the code relating to more than one person.

The bill provides that the policies adopted by the commission may not be construed to restrict access to such personal customer information by a person who is entitled by law to receive the information.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 298 amends Chapter 11 of the Parks and Wildlife Code rather than amending the Public Information Act as the original would have done.