

1-1 By: Garcia S.B. No. 1485
 1-2 (In the Senate - Filed March 12, 2015; March 19, 2015, read
 1-3 first time and referred to Committee on Business and Commerce;
 1-4 April 28, 2015, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 28, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the availability of death records of unidentified
 1-20 persons.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 552.115(a), Government Code, is amended
 1-23 to read as follows:

1-24 (a) A birth or death record maintained by the [~~bureau of~~]
 1-25 vital statistics unit of the [~~Texas~~] Department of State Health
 1-26 Services or a local registration official is excepted from the
 1-27 requirements of Section 552.021, except that:

1-28 (1) a birth record is public information and available
 1-29 to the public on and after the 75th anniversary of the date of birth
 1-30 as shown on the record filed with the [~~bureau of~~] vital statistics
 1-31 unit or local registration official;

1-32 (2) a death record is public information and available
 1-33 to the public on and after the 25th anniversary of the date of death
 1-34 as shown on the record filed with the [~~bureau of~~] vital statistics
 1-35 unit or local registration official, except that if the decedent is
 1-36 unidentified, the death record is public information and available
 1-37 to the public on and after the first anniversary of the date of
 1-38 death;

1-39 (3) a general birth index or a general death index
 1-40 established or maintained by the [~~bureau of~~] vital statistics unit
 1-41 or a local registration official is public information and
 1-42 available to the public to the extent the index relates to a birth
 1-43 record or death record that is public information and available to
 1-44 the public under Subdivision (1) or (2);

1-45 (4) a summary birth index or a summary death index
 1-46 prepared or maintained by the [~~bureau of~~] vital statistics unit or a
 1-47 local registration official is public information and available to
 1-48 the public; and

1-49 (5) a birth or death record is available to the chief
 1-50 executive officer of a home-rule municipality or the officer's
 1-51 designee if:

1-52 (A) the record is used only to identify a
 1-53 property owner or other person to whom the municipality is required
 1-54 to give notice when enforcing a state statute or an ordinance;

1-55 (B) the municipality has exercised due diligence
 1-56 in the manner described by Section 54.035(e), Local Government
 1-57 Code, to identify the person; and

1-58 (C) the officer or designee signs a
 1-59 confidentiality agreement that requires that:

1-60 (i) the information not be disclosed
 1-61 outside the office of the officer or designee, or within the office

2-1 for a purpose other than the purpose described by Paragraph (A);
2-2 (ii) the information be labeled as
2-3 confidential;
2-4 (iii) the information be kept securely; and
2-5 (iv) the number of copies made of the
2-6 information or the notes taken from the information that implicate
2-7 the confidential nature of the information be controlled, with all
2-8 copies or notes that are not destroyed or returned remaining
2-9 confidential and subject to the confidentiality agreement.

2-10 SECTION 2. This Act takes effect immediately if it receives
2-11 a vote of two-thirds of all the members elected to each house, as
2-12 provided by Section 39, Article III, Texas Constitution. If this
2-13 Act does not receive the vote necessary for immediate effect, this
2-14 Act takes effect September 1, 2015.

2-15 * * * * *