

1-1 By: King of Parker, et al. H.B. No. 1082  
 1-2 (Senate Sponsor - Zaffirini)  
 1-3 (In the Senate - Received from the House April 8, 2021;  
 1-4 April 12, 2021, read first time and referred to Committee on State  
 1-5 Affairs; May 4, 2021, reported favorably by the following vote:  
 1-6 Yeas 9, Nays 0; May 4, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 A BILL TO BE ENTITLED  
 1-19 AN ACT

1-20 relating to the availability of personal information of an elected  
 1-21 public officer.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 552.117(a), Government Code, as  
 1-24 reenacted and amended by Chapters 367 (H.B. 1351), 633 (S.B. 1494),  
 1-25 1146 (H.B. 2910), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the  
 1-26 86th Legislature, Regular Session, 2019, is reenacted and amended  
 1-27 to read as follows:

1-28 (a) Information is excepted from the requirements of  
 1-29 Section 552.021 if it is information that relates to the home  
 1-30 address, home telephone number, emergency contact information, or  
 1-31 social security number of the following person or that reveals  
 1-32 whether the person has family members:

1-33 (1) a current or former official or employee of a  
 1-34 governmental body, except as otherwise provided by Section 552.024;

1-35 (2) a peace officer as defined by Article 2.12, Code of  
 1-36 Criminal Procedure, or a security officer commissioned under  
 1-37 Section 51.212, Education Code, regardless of whether the officer  
 1-38 complies with Section 552.024 or 552.1175, as applicable;

1-39 (3) a current or former employee of the Texas  
 1-40 Department of Criminal Justice or of the predecessor in function of  
 1-41 the department or any division of the department, regardless of  
 1-42 whether the current or former employee complies with Section  
 1-43 552.1175;

1-44 (4) a peace officer as defined by Article 2.12, Code of  
 1-45 Criminal Procedure, or other law, a reserve law enforcement  
 1-46 officer, a commissioned deputy game warden, or a corrections  
 1-47 officer in a municipal, county, or state penal institution in this  
 1-48 state who was killed in the line of duty, regardless of whether the  
 1-49 deceased complied with Section 552.024 or 552.1175;

1-50 (5) a commissioned security officer as defined by  
 1-51 Section 1702.002, Occupations Code, regardless of whether the  
 1-52 officer complies with Section 552.024 or 552.1175, as applicable;

1-53 (6) an officer or employee of a community supervision  
 1-54 and corrections department established under Chapter 76 who  
 1-55 performs a duty described by Section 76.004(b), regardless of  
 1-56 whether the officer or employee complies with Section 552.024 or  
 1-57 552.1175;

1-58 (7) a current or former employee of the office of the  
 1-59 attorney general who is or was assigned to a division of that office  
 1-60 the duties of which involve law enforcement, regardless of whether  
 1-61 the current or former employee complies with Section 552.024 or

2-1 552.1175;

2-2 (8) a current or former employee of the Texas Juvenile  
2-3 Justice Department or of the predecessors in function of the  
2-4 department, regardless of whether the current or former employee  
2-5 complies with Section 552.024 or 552.1175;

2-6 (9) a current or former juvenile probation or  
2-7 supervision officer certified by the Texas Juvenile Justice  
2-8 Department, or the predecessors in function of the department,  
2-9 under Title 12, Human Resources Code, regardless of whether the  
2-10 current or former officer complies with Section 552.024 or  
2-11 552.1175;

2-12 (10) a current or former employee of a juvenile  
2-13 justice program or facility, as those terms are defined by Section  
2-14 261.405, Family Code, regardless of whether the current or former  
2-15 employee complies with Section 552.024 or 552.1175;

2-16 (11) a current or former member of the United States  
2-17 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary  
2-18 service of one of those branches of the armed forces, or the Texas  
2-19 military forces, as that term is defined by Section 437.001;

2-20 (12) a current or former district attorney, criminal  
2-21 district attorney, or county or municipal attorney whose  
2-22 jurisdiction includes any criminal law or child protective services  
2-23 matters, regardless of whether the current or former attorney  
2-24 complies with Section 552.024 or 552.1175;

2-25 (13) a current or former employee of a district  
2-26 attorney, criminal district attorney, or county or municipal  
2-27 attorney whose jurisdiction includes any criminal law or child  
2-28 protective services matters, regardless of whether the current or  
2-29 former employee complies with Section 552.024 or 552.1175;

2-30 (14) a current or former employee of the Texas Civil  
2-31 Commitment Office or of the predecessor in function of the office or  
2-32 a division of the office, regardless of whether the current or  
2-33 former employee complies with Section 552.024 or 552.1175; ~~[or]~~

2-34 (15) a current or former federal judge or state judge,  
2-35 as those terms are defined by Section 1.005, Election Code, or a  
2-36 spouse of a current or former federal judge or state judge;

2-37 (16) a current or former child protective services  
2-38 caseworker, adult protective services caseworker, or investigator  
2-39 for the Department of Family and Protective Services, regardless of  
2-40 whether the caseworker or investigator complies with Section  
2-41 552.024 or 552.1175, or a current or former employee of a department  
2-42 contractor performing child protective services caseworker, adult  
2-43 protective services caseworker, or investigator functions for the  
2-44 contractor on behalf of the department; ~~[or]~~

2-45 (17) an elected public ~~[(16) a state]~~ officer ~~[elected~~  
2-46 ~~statewide or a member of the legislature]~~, regardless of whether  
2-47 the officer ~~[or member]~~ complies with Section 552.024 or 552.1175;

2-48 (18) ~~[(16)]~~ a current or former United States attorney  
2-49 or assistant United States attorney and the spouse or child of the  
2-50 attorney; or

2-51 (19) ~~[(16)]~~ a firefighter or volunteer firefighter or  
2-52 emergency medical services personnel as defined by Section 773.003,  
2-53 Health and Safety Code, regardless of whether the firefighter or  
2-54 volunteer firefighter or emergency medical services personnel  
2-55 comply with Section 552.024 or 552.1175, as applicable.

2-56 SECTION 2. Section 552.1175(a), Government Code, as amended  
2-57 by Chapters 367 (H.B. 1351), 633 (S.B. 1494), 1146 (H.B. 2910), 1213  
2-58 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature,  
2-59 Regular Session, 2019, is reenacted and amended to read as follows:

2-60 (a) This section applies only to:

2-61 (1) peace officers as defined by Article 2.12, Code of  
2-62 Criminal Procedure, or special investigators as described by  
2-63 Article 2.122, Code of Criminal Procedure;

2-64 (2) county jailers as defined by Section 1701.001,  
2-65 Occupations Code;

2-66 (3) current or former employees of the Texas  
2-67 Department of Criminal Justice or of the predecessor in function of  
2-68 the department or any division of the department;

2-69 (4) commissioned security officers as defined by

3-1 Section 1702.002, Occupations Code;

3-2 (5) a current or former district attorney, criminal

3-3 district attorney, or county or municipal attorney whose

3-4 jurisdiction includes any criminal law or child protective services

3-5 matters;

3-6 (5-a) a current or former employee of a district

3-7 attorney, criminal district attorney, or county or municipal

3-8 attorney whose jurisdiction includes any criminal law or child

3-9 protective services matters;

3-10 (6) officers and employees of a community supervision

3-11 and corrections department established under Chapter 76 who perform

3-12 a duty described by Section 76.004(b);

3-13 (7) criminal investigators of the United States as

3-14 described by Article 2.122(a), Code of Criminal Procedure;

3-15 (8) police officers and inspectors of the United

3-16 States Federal Protective Service;

3-17 (9) current and former employees of the office of the

3-18 attorney general who are or were assigned to a division of that

3-19 office the duties of which involve law enforcement;

3-20 (10) current or former juvenile probation and

3-21 detention officers certified by the Texas Juvenile Justice

3-22 Department, or the predecessors in function of the department,

3-23 under Title 12, Human Resources Code;

3-24 (11) current or former employees of a juvenile justice

3-25 program or facility, as those terms are defined by Section 261.405,

3-26 Family Code;

3-27 (12) current or former employees of the Texas Juvenile

3-28 Justice Department or the predecessors in function of the

3-29 department;

3-30 (13) federal judges and state judges as defined by

3-31 Section 1.005, Election Code;

3-32 (14) current or former employees of the Texas Civil

3-33 Commitment Office or of the predecessor in function of the office or

3-34 a division of the office; ~~and~~

3-35 (15) a current or former member of the United States

3-36 Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary

3-37 service of one of those branches of the armed forces, or the Texas

3-38 military forces, as that term is defined by Section 437.001;

3-39 (16) ~~[(15)]~~ a current or former child protective

3-40 services caseworker, adult protective services caseworker, or

3-41 investigator for the Department of Family and Protective Services

3-42 or a current or former employee of a department contractor

3-43 performing child protective services caseworker, adult protective

3-44 services caseworker, or investigator functions for the contractor

3-45 on behalf of the department;

3-46 (17) an elected public officer; and

3-47 ~~[(15) state officers elected statewide and members of~~

3-48 ~~the legislature]~~

3-49 (18) [(15)] a firefighter or volunteer firefighter or

3-50 emergency medical services personnel as defined by Section 773.003,

3-51 Health and Safety Code.

3-52 SECTION 3. Section 25.025(a), Tax Code, as amended by

3-53 Chapters 467 (H.B. 4170), 469 (H.B. 4173), 633 (S.B. 1494), 1213

3-54 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature,

3-55 Regular Session, 2019, is reenacted and amended to read as follows:

3-56 (a) This section applies only to:

3-57 (1) a current or former peace officer as defined by

3-58 Article 2.12, Code of Criminal Procedure, and the spouse or

3-59 surviving spouse of the peace officer;

3-60 (2) the adult child of a current peace officer as

3-61 defined by Article 2.12, Code of Criminal Procedure;

3-62 (3) a county jailer as defined by Section 1701.001,

3-63 Occupations Code;

3-64 (4) an employee of the Texas Department of Criminal

3-65 Justice;

3-66 (5) a commissioned security officer as defined by

3-67 Section 1702.002, Occupations Code;

3-68 (6) an individual who shows that the individual, the

3-69 individual's child, or another person in the individual's household

4-1 is a victim of family violence as defined by Section 71.004, Family  
4-2 Code, by providing:

4-3 (A) a copy of a protective order issued under  
4-4 Chapter 85, Family Code, or a magistrate's order for emergency  
4-5 protection issued under Article 17.292, Code of Criminal Procedure;  
4-6 or

4-7 (B) other independent documentary evidence  
4-8 necessary to show that the individual, the individual's child, or  
4-9 another person in the individual's household is a victim of family  
4-10 violence;

4-11 (7) an individual who shows that the individual, the  
4-12 individual's child, or another person in the individual's household  
4-13 is a victim of sexual assault or abuse, stalking, or trafficking of  
4-14 persons by providing:

4-15 (A) a copy of a protective order issued under  
4-16 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a  
4-17 magistrate's order for emergency protection issued under Article  
4-18 17.292, Code of Criminal Procedure; or

4-19 (B) other independent documentary evidence  
4-20 necessary to show that the individual, the individual's child, or  
4-21 another person in the individual's household is a victim of sexual  
4-22 assault or abuse, stalking, or trafficking of persons;

4-23 (8) a participant in the address confidentiality  
4-24 program administered by the attorney general under Subchapter B,  
4-25 Chapter 58, Code of Criminal Procedure, who provides proof of  
4-26 certification under Article 58.059, Code of Criminal Procedure;

4-27 (9) a federal judge, a state judge, or the spouse of a  
4-28 federal judge or state judge;

4-29 (10) a current or former district attorney, criminal  
4-30 district attorney, or county or municipal attorney whose  
4-31 jurisdiction includes any criminal law or child protective services  
4-32 matters;

4-33 (11) a current or former employee of a district  
4-34 attorney, criminal district attorney, or county or municipal  
4-35 attorney whose jurisdiction includes any criminal law or child  
4-36 protective services matters;

4-37 (12) an officer or employee of a community supervision  
4-38 and corrections department established under Chapter 76,  
4-39 Government Code, who performs a duty described by Section 76.004(b)  
4-40 of that code;

4-41 (13) a criminal investigator of the United States as  
4-42 described by Article 2.122(a), Code of Criminal Procedure;

4-43 (14) a police officer or inspector of the United  
4-44 States Federal Protective Service;

4-45 (15) a current or former United States attorney or  
4-46 assistant United States attorney and the spouse and child of the  
4-47 attorney;

4-48 (16) a current or former employee of the office of the  
4-49 attorney general who is or was assigned to a division of that office  
4-50 the duties of which involve law enforcement;

4-51 (17) a medical examiner or person who performs  
4-52 forensic analysis or testing who is employed by this state or one or  
4-53 more political subdivisions of this state;

4-54 (18) a current or former member of the United States  
4-55 armed forces who has served in an area that the president of the  
4-56 United States by executive order designates for purposes of 26  
4-57 U.S.C. Section 112 as an area in which armed forces of the United  
4-58 States are or have engaged in combat;

4-59 (19) a current or former employee of the Texas  
4-60 Juvenile Justice Department or of the predecessors in function of  
4-61 the department;

4-62 (20) a current or former juvenile probation or  
4-63 supervision officer certified by the Texas Juvenile Justice  
4-64 Department, or the predecessors in function of the department,  
4-65 under Title 12, Human Resources Code;

4-66 (21) a current or former employee of a juvenile  
4-67 justice program or facility, as those terms are defined by Section  
4-68 261.405, Family Code;

4-69 (22) a current or former employee of the Texas Civil

5-1 Commitment Office or the predecessor in function of the office or a  
5-2 division of the office; ~~and~~

5-3 (23) a current or former employee of a federal judge or  
5-4 state judge;

5-5 (24) a current or former child protective services  
5-6 caseworker, adult protective services caseworker, or investigator  
5-7 for the Department of Family and Protective Services or a current or  
5-8 former employee of a department contractor performing child  
5-9 protective services caseworker, adult protective services  
5-10 caseworker, or investigator functions for the contractor on behalf  
5-11 of the department; ~~and~~

5-12 (25) an elected public ~~[(24) a state]~~ officer; and  
5-13 ~~[elected statewide or a member of the legislature]~~

5-14 (26) ~~[(24)]~~ a firefighter or volunteer firefighter or  
5-15 emergency medical services personnel as defined by Section 773.003,  
5-16 Health and Safety Code.

5-17 SECTION 4. The changes in law made by this Act to Sections  
5-18 552.117 and 552.1175, Government Code, and Section 25.025, Tax  
5-19 Code, apply only to a request for information that is received by a  
5-20 governmental body or an officer on or after the effective date of  
5-21 this Act. A request for information that was received before the  
5-22 effective date of this Act is governed by the law in effect on the  
5-23 date the request was received, and the former law is continued in  
5-24 effect for that purpose.

5-25 SECTION 5. To the extent of any conflict, this Act prevails  
5-26 over another Act of the 87th Legislature, Regular Session, 2021,  
5-27 relating to nonsubstantive additions to and corrections in enacted  
5-28 codes.

5-29 SECTION 6. This Act takes effect immediately if it receives  
5-30 a vote of two-thirds of all the members elected to each house, as  
5-31 provided by Section 39, Article III, Texas Constitution. If this  
5-32 Act does not receive the vote necessary for immediate effect, this  
5-33 Act takes effect September 1, 2021.

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