1-1 By: Kolkhorst S.B. No. 811 (In the Senate - Filed February 9, 2023; March 1, 2023, read first time and referred to Committee on Water, Agriculture & Rural Affairs; March 15, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; 1-2 1-3 1-4 1-5 1-6 March 15, 2023, sent to printer.)

COMMITTEE VOTE 1-7

1-8		Yea	Nay	Absent	PNV
1-9	Perry	X	-		
1-10	Hancock	X			
1-11	Blanco	X			
1-12	Flores	X			
1-13	Gutierrez	X			
1-14	Johnson	X			
1-15	Kolkhorst	X			
1-16	Sparks	X			
1-17	Springer	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 811

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By: Hancock

1-19 A BILL TO BE ENTITLED 1-20 AN ACT

> relating to disclosure of certain information by the Parks and Wildlife Department or the Texas Animal Health Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 161, Agriculture Code, is amended by adding Section 161.0542 to read as follows:

Sec. 161.0542. NOTICE OF WILDLIFE DISEASE OUTBREAK. (a) Notwithstanding any law restricting the disclosure of information by the commission and subject to Subsection (b), if the commission becomes aware of a wildlife disease outbreak on a property, the commission shall provide notice of the location and nature of outbreak to:

each owner of adjacent property; and (2) the Parks and Wildlife Department.

Subsection (a) applies only to a disease that the commission has designated as reportable.

SECTION 2. Section 11.030(a), Parks and Wildlife Code, is

Section amended to read as follows:

The name and address and a telephone, social security, (a) driver's license, bank account, credit card, or charge card number of a person who purchases customer products, licenses, or services from the department may not be disclosed, sold, rented, or traded except as authorized under this section or Section 12.014, 12.103, <u>or</u> 12.0251.

SECTION 3. Subchapter A, Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.014 to read as follows:

Sec. 12.014. NOTICE OF WILDLIFE DISEASE OUTBREAK. (a) Notwithstanding any law restricting the disclosure of information by the department and subject to Subsection (b), if the department becomes aware of a wildlife disease outbreak on a property, the department shall provide notice of the location and nature of the outbreak to:

each owner of adjacent property; and (2) the Texas Animal Health Commission.

Subsection (a) applies only to a disease that the Texas Animal Health Commission has designated as reportable.

SECTION 4. Section 12.0251(b), Parks and Wildlife Code, is amended to read as follows:

The commission or (b) the department may information described by this section only to:

(1) the landowner;

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(2) another person if [unless: [(1)] the landowner consents to full or specified partial disclosure of information[+] and

 $[\frac{(2)}{2}]$ the consent is in writing and is attached to the plan or recommendation report; or

(3) the Texas Animal Health Commission as needed to

carry out a governmental purpose.

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SECTION 5. Section 12.103, Parks and Wildlife Code, amended by amending Subsections (b) and (c) and adding Subsection (d-1) to read as follows:

- (b) Except as provided by Subsection (d) or department may use information collected by an employee of the department on privately owned land only for the purposes of scientific investigations and research described in Subsection (a) and only if authorized in writing by the landowner or the landowner's agent. Unless the department first obtains the written consent of the landowner or the landowner's agent, the department may not:
- (1) use other incidental information obtained on the land that does not pertain directly to the investigation or research authorized under Subsection (a); or
- (2) enter or permit the entry of any information that does not pertain directly to the investigation or research authorized under Subsection (a), into a database:
- (A) maintained by the department and available to a person other than a department employee;
- (B) maintained by a natural heritage program administered by the department; or
- (C) established and maintained by any other person.
- Except as provided by Subsection (d) or (c) information collected under this section may only be reported or compiled in a manner that prevents the identification of an individual parcel or specific parcels of private property without the written consent of the landowner or the landowner's agent.

 (d-1) The department may disclose information collected
- under this section to the Texas Animal Health Commission as needed
- to carry out a governmental purpose.

 SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

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