

BILL ANALYSIS

C.S.H.B. 3305
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that previous legislation to ensure the personal safety of judges by redacting certain personal information about a judge from public records did not extend to campaign report filings or to certain documents filed with a county clerk and included in a public database. C.S.H.B. 3305 seeks to build on existing measures to protect judges by requiring similar redactions from these additional types of records.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3305 amends the Election Code to require the Texas Ethics Commission (TEC), on receiving notice from the Office of Court Administration of the Texas Judicial System (OCA) of a judge's qualification for office or on receipt of a written request from a federal judge, state judge, or spouse of a federal or state judge, to remove or redact the residence address of a federal judge, a state judge, or the spouse of a federal or state judge from any report filed by the judge in the judge's capacity or made available on the Internet under statutory provisions relating to political reporting.

C.S.H.B. 3305 amends the Government Code to require the director of security and emergency preparedness annually to submit to the legislature a report and related recommendations on court security activities throughout Texas supported by the judicial security division of OCA.

C.S.H.B. 3305 amends the Property Code to include in the definition of "instrument," for purposes of statutory provisions relating to the confidentiality of personal information contained in real property records, any record recorded by a county clerk related to real property, including a mineral lease, a mechanic's lien, and the release of a mechanic's lien.

C.S.H.B. 3305 amends the Tax Code to clarify the definitions of "federal judge" and "state judge" used for purposes of statutory provisions relating to the confidentiality of home address information contained in appraisal records.

C.S.H.B. 3305 amends the Transportation Code to clarify the definitions of "federal judge" and "state judge" used for purposes of statutory provisions relating to the omission of residence address information on a driver's license.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3305 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a specification, with regard to removal or redaction by the TEC of residence address information from certain reports, that such an action must be taken before permitting a person to inspect such a report. The substitute changes a specification of an applicable report from a report filed under certain Election Code provisions to any report filed by the judge in the judge's capacity.

The substitute does not include a requirement for a county clerk, on receipt of a certain written request, to omit or redact specified information from any documents that are available in a certain online database. The substitute expands the applicability of existing requirements relating to such omission or redaction by extending the definition of "instrument," for purposes of statutory provisions relating to the confidentiality of personal information contained in real property records, to include any record recorded by a county clerk related to real property.

The substitute includes clarifications of the definitions of "federal judge" and "state judge" used for purposes of statutory provisions relating to the confidentiality of home address information contained in appraisal records and relating to the omission of residence address information on a driver's license.

The substitute includes a procedural provision limiting the application of the bill's Election Code provisions to an applicable report filed on or after the bill's effective date.