

## **BILL ANALYSIS**

Senate Research Center  
76R5862 JRD-D

H.B. 3262  
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State Affairs  
5/13/1999  
Engrossed

### **DIGEST**

Currently, municipalities have begun to pass ordinances requiring veterinarians to relinquish their vaccination records to the municipality. This information normally contains personal information concerning the owner as well as the pet's vaccination records. Businesses wishing to access this information have requested this information under the Open Records Act; however, the attorney general has ruled that this information is protected as a "trade secret" and cannot be released to the public. H.B. 3262 sets forth provisions regarding information in a rabies vaccination certificate or in a county or municipal registry of dogs and cats and provides a criminal penalty.

### **PURPOSE**

As proposed, H.B. 3262 sets forth provisions regarding information in a rabies vaccination certificate or in a county or municipal registry of dogs and cats and provides a criminal penalty.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 826C, Health and Safety Code, by adding Section 826.0211, as follows:

Sec. 826.0211. CONFIDENTIALITY OF CERTAIN INFORMATION IN RABIES VACCINATION CERTIFICATE; CRIMINAL PENALTY. Provides that certain information contained in a rabies vaccination certificate is confidential and not subject to disclosure under Chapter 552, Government Code. Authorizes the information to be disclosed to a governmental entity for purposes related to the protection of public health and safety. Requires a governmental entity that receives the information to maintain the confidentiality, may not disclose the information under Chapter 552, Government Code, and may not use the information for a purpose that does not directly relate to the protection of public health and safety. Provides that a person commits a misdemeanor punishable by a fine of not more than \$1,000, confinement in the county jail for not more than 180 days, or both, if the person distributes information that is confidential under this section.

SECTION 2. Amends Chapter 826D, Health and Safety Code, by adding Section 826.0311, as follows:

Sec. 826.0311. CONFIDENTIALITY OF CERTAIN INFORMATION IN DOG AND CAT REGISTRY; CRIMINAL PENALTY. Provides that certain information contained in a municipal or county registry of dogs and cats is confidential and not subject to disclosure under Chapter 552, Government Code. Authorizes the information to be disclosed to a governmental entity for purposes related to the protection of public health and safety. Requires a governmental entity that receives the information to maintain the confidentiality, may not disclose the information under Chapter 552, Government Code, and may not use the information for a purpose that does not directly relate to the protection of public health and safety. Provides that a person commits a misdemeanor punishable by a fine of not more than \$1,000, confinement in the county jail for not more than 180 days, or both, if the person distributes information that is confidential under this section.

SECTION 3. Effective date: September 1, 1999.

Makes application of this Act prospective.

SECTION 4. Emergency clause.