

BILL ANALYSIS

Senate Research Center
80R2820 ACP-F

H.B. 1042
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a crime victim must elect to have the victim's identifying information made confidential, and no provision exists for a crime victim's claimant to make such a choice. This can be problematic in cases in which the victim is a minor, because information about the identity of the claimant can be used to identify the victim.

H.B. 1042 makes identifying information of crime victims or claimants confidential and not subject to disclosure under the Public Information Act.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 552.132, Government Code, as follows:

Sec. 552.132. New heading: CONFIDENTIALITY OF CRIME VICTIM OR CLAIMANT INFORMATION. (a) Defines "crime victim or claimant," rather than "crime victim." Makes conforming changes.

(b) Provides that a crime victim or claimant's identifying information held by the crime victim's compensation division of the attorney general's office is confidential in all cases. Deletes existing text authorizing a crime victim to elect whether to allow public access. Makes conforming changes.

(c) Redesignated from existing Subsection (e). Deletes existing Subsections (c) and (d), which provide the requirements of an election under Subsection (b), and the specifics as to the confidentiality of the information specified under Subsection (b). Makes conforming changes.

(d) Redesignated from existing Subsection (f). Makes conforming changes.

(e) Created from existing text of previous Subsection (f). Makes a conforming change.

SECTION 2. Effective date: September 1, 2007.