

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 73
By: Nelson
State Affairs
3/7/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2017 the legislature passed the Judge Julie Kocurek Court Security Act to protect the personal information of our judges. However, there are still records that are not covered under this law, putting judges at potential risk.

S.B. 73 adds additional records commonly recorded by a county clerk related to real property to the list of documents that a judge or judge's spouse may request be withheld from online posting, including a mineral lease, mechanic's lien, and the release of a mechanic's lien. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 73 amends current law relating to personal information that may be omitted from certain records and licenses.

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 11.008(a), Property Code, as follows:

- (a) Defines "instrument" as a deed, deed of trust, or any other 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, rather than as a deed or deed of trust.

SECTION 2. Amends Section 25.025(b), Tax Code, as follows:

- (b) Provides that information in appraisal records under Section 25.02 (Form and Content) is confidential and is available only for the official use of the appraisal district, this state, the comptroller of public accounts of the State of Texas (comptroller), and taxing units and political subdivisions of this state if:

- (1) makes no changes to this subdivision;
- (2) the individual chooses to restrict public access to the information on the form prescribed for that purpose by the comptroller under Section 5.07 (Property Tax Forms and Records Systems) or is a federal or state judge, rather than a federal or state judge as defined by Section 572.002 (General Definitions), Government Code, or the spouse of a federal or state judge, beginning on the date the Court Administration of the Texas Judicial System notifies the appraisal district of the judge's qualification for the judge's office.

SECTION 3. Amends Section 521.121(c), Transportation Code, as follows:

- (c) Requires the Department of Public Safety of the State of Texas to establish a procedure, on a license holder's qualification for office as a federal or state judge as defined by Section 13.0021 (Additional Registration Information From Certain Federal

and State Judges), Election Code, rather than as defined by Section 572.002, Government Code, to omit the residence address of the judge and the spouse of the judge on the license holder's license and to include, in lieu of the address, the street address of the courthouse in which the license holder or license holder's spouse serves as a federal judge or state judge.

SECTION 4. Effective date: September 1, 2019.