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By Opinion Committee at 8:13 am, Mar 08, 2022



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FILE# ML-49090-22

I.D.# 49090

March 4, 2022

Office of the Attorney General
Attention: Opinion Committee
PO Box 12548
Austin, Texas 78711-2548

Committee Members

Texas Occupations Code 651.2035 Confidentiality of Complaint Information allows information obtained through the investigative process to be released to certain parties (i.e. Commissioners, commission employees involved with the discipline, parties to the disciplinary action or their designee, a law enforcement agency or a governmental agency where disclosure is required or permitted by law.). The statute also prohibits the release of confidential information obtain their the investigative process to any party that was not the respondent (i.e. a disclosure under Chapter 552, Government Code or disclosure, discovery or subpoena or other means of legal compulsion.)

The Texas Funeral Service Commission has been requesting OAG representation for this enacted statute since September 1, 2019. We know have received a complaint, through the OAG, about our denial of this confidential information. To that end, the Texas Funeral Service Commission is seeking an opinion regarding whether the complainant to any resolved complaint has the right to the confidential information.

I can be reached directly at 512-936-2472 or on my mobile phone at 512-626-1425. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Glenn A. Bower". The signature is written in a cursive style and is placed on a light pink rectangular background.

Glenn A. Bower, CFSP
Executive Director