

By: Leach

H.B. No. 2578

A BILL TO BE ENTITLED

AN ACT

relating to the comptroller's establishment and operation of a public information Internet website.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 5, Government Code, is amended by adding Chapter 561 to read as follows:

CHAPTER 561. COMPTROLLER'S PUBLIC INFORMATION INTERNET WEBSITE

Sec. 561.001. DEFINITIONS. In this chapter:

(1) "Governmental entity" means:

(A) a state agency in the executive, legislative, or judicial branch of state government, including an institution of higher education as defined by Section 61.003, Education Code; or

(B) a political subdivision of this state.

(2) "Public information" means a public or legal notice that a governmental entity is required to publish under a statute or rule of this state and any other information a governmental entity submits for publication on the public information Internet website.

(3) "Public information Internet website" means the official state Internet website developed and maintained by the comptroller under this chapter.

Sec. 561.002. PUBLIC INFORMATION INTERNET WEBSITE. (a) The comptroller shall develop and maintain an Internet website of public information, including archived public information.

1 (b) The public information Internet website must be
2 designed to:

3 (1) allow a governmental entity to easily post public
4 information on the Internet website or the comptroller to post
5 public information on receipt of the information from the entity;

6 (2) allow the public to search and sort the public
7 information on the Internet website by:

8 (A) a specific municipality or county;

9 (B) a governmental entity name;

10 (C) the type of governmental entity;

11 (D) the submission date of the public
12 information;

13 (E) the event or deadline date stated in the
14 public information; and

15 (F) any additional criteria approved by the
16 comptroller;

17 (3) allow the public to search and view archived
18 public information posted on the Internet website;

19 (4) allow a person to subscribe to e-mail notices of
20 public information associated with a specific governmental entity;

21 (5) be easily accessible by the public 24 hours a day,
22 seven days a week, through the Texas.gov Internet website that
23 includes a direct link to the public information Internet website;

24 (6) have a unique and easy to remember Internet
25 website address; and

26 (7) have adequate systems for information security and
27 backup and a contingency plan to address power outages, systematic

1 failures, and electronic security.

2 (c) The comptroller shall develop a process for a
3 governmental entity to access the public information Internet
4 website to post public information or modify information previously
5 posted by the entity or to submit the information or modified
6 information to the comptroller for posting on the Internet website.

7 (d) In developing the public information Internet website,
8 the comptroller shall coordinate with the Office of Court
9 Administration of the Texas Judicial System regarding the Internet
10 website maintained by the office as required by Section 72.034, as
11 added by Chapter 606 (S.B. 891), Acts of the 86th Legislature,
12 Regular Session, 2019, to eliminate unnecessary duplication and
13 ensure each Internet website at a minimum includes a link to the
14 other Internet website.

15 Sec. 561.003. SUBMISSION OF PUBLIC INFORMATION; EXCEPTION.

16 (a) Subject to Subsection (b), each governmental entity:

17 (1) shall submit for inclusion on the public
18 information Internet website any public or legal notice a statute
19 or rule of this state requires the entity to publish in a newspaper;
20 and

21 (2) may submit any other public information the entity
22 elects to submit.

23 (b) A governmental entity is not required to submit for
24 inclusion on the public information Internet website any public or
25 legal notice that another statute or rule of this state requires the
26 entity to publish on the Internet website maintained by the Office
27 of Court Administration of the Texas Judicial System as required by

1 Section 72.034, as added by Chapter 606 (S.B. 891), Acts of the 86th
2 Legislature, Regular Session, 2019.

3 Sec. 561.004. EFFECT OF PUBLICATION ON PUBLIC INFORMATION
4 INTERNET WEBSITE. (a) Notwithstanding any other law other than
5 Subsection (b), a governmental entity's submission of public
6 information to the public information Internet website satisfies a
7 requirement imposed by another statute or rule of this state to
8 publish notice in a newspaper.

9 (b) A governmental entity's submission of public
10 information to the public information Internet website does not
11 satisfy a requirement imposed by another statute or rule of this
12 state to publish notice on the Internet website maintained by the
13 Office of Court Administration of the Texas Judicial System under
14 Section 72.034, as added by Chapter 606 (S.B. 891), Acts of the 86th
15 Legislature, Regular Session, 2019.

16 (c) A governmental entity at the entity's discretion may
17 publish notice of public information in any other format authorized
18 by a statute or rule of this state in addition to submitting the
19 public information for publication on the public information
20 Internet website.

21 Sec. 561.005. IMMUNITY FROM LIABILITY OR PENALTY. A
22 governmental entity that in good faith attempts to submit public
23 information to the public information Internet website is not
24 subject to liability or other penalty for failing to post the public
25 information to the public information Internet website or to
26 deliver an e-mail notice of the posted public information.

27 SECTION 2. As soon as practicable after the effective date

1 of this Act, but not later than September 1, 2022:

2 (1) the comptroller of public accounts shall develop
3 the public information Internet website required by Chapter 561,
4 Government Code, as added by this Act; and

5 (2) each governmental entity in this state shall begin
6 submitting public information to the public information Internet
7 website in the format and manner required by the comptroller and
8 Chapter 561, Government Code, as added by this Act.

9 SECTION 3. This Act takes effect September 1, 2021.