

By: Wu

H.B. No. 3345

A BILL TO BE ENTITLED

AN ACT

relating to public access to the audit records of certain governmental entities.

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. AUDIT RECORDS

Sec. 561.001. DEFINITIONS. In this chapter:

(1) "Audit" includes:

(A) a financial audit described by Section 321.0131;

(B) a compliance audit described by Section 321.0132;

(C) an economy and efficiency audit described by Section 321.0133;

(D) an effectiveness audit described by Section 321.0134; or

(E) an investigation described by Section 321.0136.

(2) "Governmental entity" means:

(A) a board, commission, department, committee, institution, agency, or office that is within or is created by the executive or legislative branch of state government and that is directed by one or more elected or appointed members;

1 (B) a county commissioners court in the state;

2 (C) a municipal governing body in the state; or

3 (D) a deliberative body that has rulemaking or
4 quasi-judicial power and that is classified as a department,
5 agency, or political subdivision of a county or municipality.

6 Sec. 561.002. AUDIT RECORDS. (a) A governmental entity
7 shall:

8 (1) make the records relating to any audit of the
9 governmental entity, including any final report, available to the
10 public on request; and

11 (2) not later than the fifth business day after the
12 date the audit is completed, post the final report for the audit:

13 (A) on the governmental entity's Internet
14 website; or

15 (B) if the governmental entity does not have an
16 Internet website, on a publicly accessible Internet website.

17 (b) A governmental entity may redact any confidential
18 information from the report as necessary to comply with state or
19 federal law.

20 (c) A governmental entity that, without good cause, fails to
21 comply with this chapter is liable to a person for any reasonable
22 expenses the person incurs trying to access the audit records,
23 including reasonable attorney's fees.

24 SECTION 2. (a) Except as provided by Subsection (b) of this
25 section, Chapter 561, Government Code, as added by this Act,
26 applies only to an audit performed on or after the effective date of
27 this Act.

1 (b) Section 561.002(a)(1), Government Code, as added by
2 this Act, applies to an audit performed before, on, or after the
3 effective date of this Act.

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