

By: Goldman

H.B. No. 4083

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the availability of certain working papers and  
3 electronic communications of certain administrative law judges and  
4 technical examiners under the public information law.

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

6 SECTION 1. Section 552.144, Government Code, is amended to  
7 read as follows:

8 Sec. 552.144. EXCEPTION: WORKING PAPERS AND ELECTRONIC  
9 COMMUNICATIONS OF ADMINISTRATIVE LAW JUDGES AND TECHNICAL  
10 EXAMINERS AT STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RAILROAD  
11 COMMISSION. The following working papers and electronic  
12 communications of an administrative law judge at the State Office  
13 of Administrative Hearings or a technical examiner or  
14 administrative law judge at the Railroad Commission of Texas are  
15 excepted from the requirements of Section 552.021:

16 (1) notes and electronic communications recording the  
17 observations, thoughts, questions, deliberations, or impressions  
18 of an administrative law judge or a technical examiner;

19 (2) drafts of a proposal for decision;

20 (3) drafts of orders made in connection with  
21 conducting contested case hearings; and

22 (4) drafts of orders made in connection with  
23 conducting alternative dispute resolution procedures.

24 SECTION 2. The changes in law made by this Act apply only to

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1 a request for public information received by a governmental body or  
2 an officer for public information on or after the effective date of  
3 this Act.

4 SECTION 3. This Act takes effect September 1, 2023.