

By: Canales

H.B. No. 1678

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the collection and disclosure of certain public
3 information.

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

5 SECTION 1. Subchapter C, Chapter 2B, Code of Criminal
6 Procedure, is amended by adding Article 2B.01015 to read as
7 follows:

8 Art. 2B.01015. RECORDINGS; APPLICABILITY. (a) A reference
9 in this subchapter to a "recording" by a body worn camera, however
10 phrased, means an audio recording, a video recording, or an
11 audiovisual recording.

12 (b) Subsection (a) applies to a "body worn camera
13 recording," a "recording created with a body worn camera,"
14 "information recorded by a body worn camera," "recorded
15 information," and any synonymous word or phrase.

16 SECTION 2. Section 552.101, Government Code, is amended to
17 read as follows:

18 Sec. 552.101. EXCEPTION: CONFIDENTIAL INFORMATION. (a)
19 Subject to Subsection (b), information [~~Information~~] is excepted
20 from the requirements of Section 552.021 if it is information
21 considered to be confidential by law, either constitutional,
22 statutory, or by judicial decision.

23 (b) This section does not encompass:

24 (1) the attorney-client privilege;

- 1 (2) the work product privilege;
2 (3) another exception to disclosure provided by this
3 chapter; or
4 (4) a state or federal discovery privilege, including
5 a discovery privilege provided by the:
6 (A) Texas Rules of Civil Procedure;
7 (B) Texas Rules of Evidence;
8 (C) Texas Disciplinary Rules of Professional
9 Conduct;
10 (D) Federal Rules of Evidence; or
11 (E) Federal Rules of Civil Procedure.

12 SECTION 3. Section 552.108(c), Government Code, is amended
13 to read as follows:

14 (c) This section does not except basic information from the
15 requirements of Section 552.021 [~~information that is basic~~
16 ~~information about an arrested person, an arrest, or a crime~~]. A
17 governmental body shall promptly release basic information
18 responsive to a request made under this chapter unless the
19 governmental body seeks to withhold the information as provided by
20 another provision of this chapter, and regardless of whether the
21 governmental body requests an attorney general decision under
22 Subchapter G regarding other information subject to the request.

23 SECTION 4. Section 552.302, Government Code, is amended to
24 read as follows:

25 Sec. 552.302. FAILURE TO MAKE TIMELY REQUEST FOR ATTORNEY
26 GENERAL DECISION; PRESUMPTION THAT INFORMATION IS PUBLIC. (a)
27 Subject to Subsection (b), if [~~if~~] a governmental body does not

1 request an attorney general decision as provided by Section [552.301](#)
2 and provide the requestor with the information required by Sections
3 [552.301](#)(d) and (e-1), the information requested in writing is
4 presumed to be subject to required public disclosure and must be
5 released unless there is a compelling reason to withhold the
6 information.

7 (b) Sections [552.103](#), [552.104](#), [552.105](#), [552.106](#), [552.108](#),
8 [552.111](#), [552.112](#), [552.116](#), [552.122](#), [552.125](#), [552.131](#)(b), [552.144](#),
9 [552.146](#), [552.153](#)(b)(1), and [552.154](#) do not constitute compelling
10 reasons for a governmental body that fails to comply with the
11 requirements of Section [552.301](#) to withhold information under
12 Subsection (a).

13 (c) The exclusion of an exception to disclosure from the
14 list in Subsection (b) does not create a presumption that the
15 exception constitutes a compelling reason for a governmental body
16 to withhold information under Subsection (a).

17 SECTION 5. Section [118.011](#)(e), Local Government Code, is
18 amended to read as follows:

19 (e) A county clerk who provides a copy in a format other than
20 paper of a record maintained by the clerk shall provide the copy and
21 charge a fee in accordance with Section [~~Sections [552.231](#) and~~
22 [552.262](#), Government Code.

23 SECTION 6. Section [552.231](#), Government Code, is repealed.

24 SECTION 7. The changes in law made by this Act apply only to
25 a request for public information received on or after the effective
26 date of this Act.

27 SECTION 8. This Act takes effect September 1, 2025.