

By: Reynolds

H.B. No. 4998

A BILL TO BE ENTITLED

AN ACT

relating to the inclusion of independent organizations established to manage power regions as governmental bodies for purposes of the public information law.

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

SECTION 1. Section 552.003(1), Government Code, is amended to read as follows:

(1) "Governmental body":

(A) means:

(i) 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;

(ii) a county commissioners court in the state;

(iii) a municipal governing body in the state;

(iv) a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a county or municipality;

(v) a school district board of trustees;

(vi) a county board of school trustees;

(vii) a county board of education;

(viii) the governing board of a special district;

(ix) the governing body of a nonprofit corporation organized under Chapter 67, Water Code, that provides a water supply or wastewater service, or both, and is exempt from ad valorem taxation under Section 11.30, Tax Code;

(x) a local workforce development board created under Section 2308.253;

(xi) a nonprofit corporation that is eligible to receive funds under the federal community services block grant program and that is authorized by this state to serve a geographic area of the state;

(xii) a confinement facility operated under a contract with any division of the Texas Department of Criminal Justice;

(xiii) a civil commitment housing facility owned, leased, or operated by a vendor under contract with the state as provided by Chapter 841, Health and Safety Code;

(xiv) an entity that receives public funds in the current or preceding state fiscal year to manage the daily operations or restoration of the Alamo, or an entity that oversees such an entity; ~~and~~

(xv) the part, section, or portion of an organization, corporation, commission, committee, institution, or agency that spends or that is supported in whole or in part by public funds; and

(xvi) an independent organization

1 established under Section 39.151, Utilities Code, to manage a power
2 region; and

3 (B) does not include:

4 (i) the judiciary; or

5 (ii) an economic development entity whose
6 mission or purpose is to develop and promote the economic growth of
7 a state agency or political subdivision with which the entity
8 contracts if:

9 (a) the entity does not receive \$1
10 million or more in public funds from a single state agency or
11 political subdivision in the current or preceding state fiscal
12 year; or

13 (b) the entity:

14 (1) either:

15 (A) does not have the
16 authority to make decisions or recommendations on behalf of a state
17 agency or political subdivision regarding tax abatements or tax
18 incentives; or

19 (B) does not require an
20 officer of the state agency or political subdivision to hold office
21 as a member of the board of directors of the entity;

22 (2) does not use staff or office
23 space of the state agency or political subdivision for no or nominal
24 consideration, unless the space is available to the public;

25 (3) to a reasonable degree,
26 tracks the entity's receipt and expenditure of public funds
27 separately from the entity's receipt and expenditure of private

1 funds; and

2 (4) provides at least quarterly
3 public reports to the state agency or political subdivision
4 regarding work performed on behalf of the state agency or political
5 subdivision.

6 SECTION 2. Subchapter D, Chapter 39, Utilities Code, is
7 amended by adding Section 39.1517 to read as follows:

8 Sec. 39.1517. DISCLOSURE OF PUBLIC INFORMATION BY GOVERNING
9 BODY OF INDEPENDENT ORGANIZATION. A provision of law that makes
10 information confidential or not subject to disclosure under Chapter
11 552, Government Code, or another provision of law, that applies to
12 the commission applies in the same manner to an independent
13 organization certified under Section 39.151.

14 SECTION 3. The changes in law made by this Act apply only to
15 a request for public information received on or after the effective
16 date of this Act. A request for public information received before
17 the effective date of this Act is governed by the law in effect when
18 the request was received, and the former law is continued in effect
19 for that purpose.

20 SECTION 4. This Act takes effect September 1, 2025.