

By: Swinford

H.B. No. 54

Substitute the following for H.B. No. 54:

By: Allen

C.S.H.B. No. 54

A BILL TO BE ENTITLED

AN ACT

relating to excepting certain budgetary working papers from
required public disclosure.

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

SECTION 1. Section 552.022(a), Government Code, is amended
to read as follows:

(a) Without limiting the amount or kind of information that
is public information under this chapter, the following categories
of information are public information and not excepted from
required disclosure under this chapter unless they are expressly
confidential under other law:

(1) a completed report, audit, evaluation, or
investigation made of, for, or by a governmental body, except as
provided by Section 552.108;

(2) the name, sex, ethnicity, salary, title, and dates
of employment of each employee and officer of a governmental body;

(3) information in an account, voucher, or contract
relating to the receipt or expenditure of public or other funds by a
governmental body;

(4) the name of each official and the final record of
voting on all proceedings in a governmental body;

(5) all working papers, research material, and
information used to estimate the need for or expenditure of public
funds or taxes by a governmental body, on completion of the

1 estimate, provided that working papers, research material, and
2 information used to prepare a draft or introduced version of the
3 general appropriations bill or another document or proposal
4 prepared under Section 322.008 or 401.0445 are not covered by this
5 subdivision;

6 (6) the name, place of business, and the name of the
7 municipality to which local sales and use taxes are credited, if
8 any, for the named person, of a person reporting or paying sales and
9 use taxes under Chapter 151, Tax Code;

10 (7) a description of an agency's central and field
11 organizations, including:

12 (A) the established places at which the public
13 may obtain information, submit information or requests, or obtain
14 decisions;

15 (B) the employees from whom the public may obtain
16 information, submit information or requests, or obtain decisions;

17 (C) in the case of a uniformed service, the
18 members from whom the public may obtain information, submit
19 information or requests, or obtain decisions; and

20 (D) the methods by which the public may obtain
21 information, submit information or requests, or obtain decisions;

22 (8) a statement of the general course and method by
23 which an agency's functions are channeled and determined, including
24 the nature and requirements of all formal and informal policies and
25 procedures;

26 (9) a rule of procedure, a description of forms
27 available or the places at which forms may be obtained, and

1 instructions relating to the scope and content of all papers,
2 reports, or examinations;

3 (10) a substantive rule of general applicability
4 adopted or issued by an agency as authorized by law, and a statement
5 of general policy or interpretation of general applicability
6 formulated and adopted by an agency;

7 (11) each amendment, revision, or repeal of
8 information described by Subdivisions (7)-(10);

9 (12) final opinions, including concurring and
10 dissenting opinions, and orders issued in the adjudication of
11 cases;

12 (13) a policy statement or interpretation that has
13 been adopted or issued by an agency;

14 (14) administrative staff manuals and instructions to
15 staff that affect a member of the public;

16 (15) information regarded as open to the public under
17 an agency's policies;

18 (16) information that is in a bill for attorney's fees
19 and that is not privileged under the attorney-client privilege;

20 (17) information that is also contained in a public
21 court record; and

22 (18) a settlement agreement to which a governmental
23 body is a party.

24 SECTION 2. Section 552.106(a), Government Code, is amended
25 to read as follows:

26 (a) A draft or working paper involved in the preparation of
27 proposed legislation and a draft or working paper involved in the

1 preparation of a document or proposal under Section 322.008 or
2 401.0445 are [~~is~~] excepted from the requirements of Section
3 552.021.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect on the 91st day after the last day of the
9 legislative session.