

Amend SB 1000 as follows:

(1) In SECTION 1 of the bill, in the first sentence of Subsection (a), Section 2113.108, Government Code, as added by the bill (house committee printing, page 1, line 9), between "(a) A state agency" and "may not use appropriated", insert "other than the offices of the attorney general and comptroller".

(2) Strike existing SECTION 2 of the bill (house committee printing, page 2, lines 4-22) and substitute the following:

SECTION 2. Chapter 323, Government Code, is amended by adding Section 323.020 to read as follows:

Sec. 323.020. CONTRACTS TO PERFORM STATISTICAL OR DEMOGRAPHIC ANALYSIS; CONFIDENTIALITY. (a) Except for Subsection (b), this section does not apply in relation to a statistical or demographic analysis of information related to the redistricting process.

(b) The council may determine whether and the extent to which council resources are available to perform or assist a state agency in performing a statistical or demographic analysis of information as described by Section 2113.108.

(c) Except as provided by this section, information that the council acquires or produces in relation to a statistical or demographic analysis described by Section 2113.108 is confidential and not public information subject to Chapter 552, including:

(1) any information that identifies or tends to identify an individual or other entity that submitted information or that was asked to submit information for the analysis;

(2) working drafts and working papers developed in performing the analysis;

(3) contracts and subcontracts entered into for purposes of performing the analysis;

(4) internal and interagency correspondence sent or received in the course of performing the analysis;

(5) memoranda of understanding entered into in relation to performing the analysis; and

(6) data, data files, databases, computer coding, computer specification programs, data use agreements, and data dictionaries acquired or used in performing the analysis.

(d) Without regard to whether the council collects information for purposes of performing a statistical or demographic analysis of information as described by Section 2113.108 indirectly through the state agency or directly from another governmental or nongovernmental entity, an individual or other entity that voluntarily provides information to the state agency or to the council for purposes of the analysis does not waive any exception from required disclosure or any privilege not to disclose the information, and the character of the information as privileged or excepted from required disclosure is not affected by that action of the individual or other entity.

(e) A final report containing a statistical or demographic analysis of information as described by Section 2113.108, a cover letter or cover memorandum for the final report, and an announcement that the final report is available are not confidential and are subject to required public disclosure under Chapter 552 except to the extent that the final report, cover letter or cover memorandum, or announcement contains information that identifies or tends to identify an individual or entity other than information that names a staff member who performed work in relation to performing the analysis or that names government officials on a letterhead.

(f) Notwithstanding Subsection (c)(3), a contract between the council and a state agency under Section 2113.108 and the names of the staff members who perform work in relation to performing the analysis under the contract are not confidential. A contract between the council and a state agency under Section 2113.108 is public information subject to Chapter 552.

(g) Information that an individual or other entity submits for the purpose of a statistical or demographic analysis of information performed by the council under Section 2113.108 may not be used against the individual or other entity in a state agency enforcement proceeding. This subsection does not affect the ability of a state agency to obtain the information by other means and to use the information, if obtained by other means, in a state agency enforcement proceeding.

(3) Add the following new SECTION 3 of the bill and renumber

existing SECTION 3 of the bill as SECTION 4 of the bill:

SECTION 3. Section 552.112, Government Code, is amended by adding Subsection (c) to read as follows:

(c) Information is excepted from the requirements of Section 552.021 if it is information submitted by an individual or other entity to the Texas Legislative Council, or to any state agency or department overseen by the Finance Commission of Texas and the information has been or will be sent to the Texas Legislative Council, for the purpose of performing a statistical or demographic analysis of information subject to Section 323.020. However, this subsection does not except from the requirements of Section 552.021 information that does not identify or tend to identify an individual or other entity and that is subject to required public disclosure under Section 323.020(e).