

## **BILL ANALYSIS**

S.B. 84  
By: Wentworth  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Public Information Act requires a governmental body to promptly produce public information for inspection and/or duplication. However, “promptly” is not defined for purposes of the Act. In a recent Open Records Decision, the Attorney General concluded that Section 552.221 requires the release of information as “soon as possible under the circumstances, meaning within a reasonable time, without delay.” The purpose of Senate Bill 84 is to define “promptly” in Section 552.221 of the Government Code as having the meaning given by the Attorney General in Open Records Decision 664.

### **RULEMAKING AUTHORITY**

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, institution, or agency.

### **ANALYSIS**

Senate Bill 84 amends Section 552.221 of the Government Code to define “promptly” as that term is applied to the time period for release of information in response to an open records request. “Promptly” is defined to mean as soon as possible under the circumstances, that is, within a reasonable time, without delay.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

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