

By: Wentworth

S.B. No. 872

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the application of the open meetings law and the public  
3 information law to meetings and information regarding certain  
4 plans, including emergency prevention or response plans and  
5 engineering or architectural plans.

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

7 SECTION 1. Subchapter D, Chapter 551, Government Code, is  
8 amended by adding Sections 551.091 and 551.092 to read as follows:

9 Sec. 551.091. DELIBERATIONS RELATING TO EMERGENCY  
10 PREVENTION AND EMERGENCY RESPONSE PLANS. This chapter does not  
11 require a governmental body to conduct an open meeting to  
12 deliberate tactical, security, or emergency procedures in a plan  
13 for preventing or responding to an act of terrorism.

14 Sec. 551.092. DELIBERATIONS RELATING TO CERTAIN  
15 ENGINEERING, ARCHITECTURAL, OR SIMILAR PLANS. This chapter does  
16 not require a governmental body to conduct an open meeting to  
17 deliberate an engineering, architectural, or similar plan or  
18 drawing if deliberation of the plan or drawing in an open meeting  
19 could jeopardize the health or safety of an individual or the  
20 security of a system, a facility, or equipment.

21 SECTION 2. Subchapter C, Chapter 552, Government Code, is  
22 amended by adding Sections 552.146 and 552.147 to read as follows:

23 Sec. 552.146. EXCEPTION: CERTAIN EMERGENCY PREVENTION OR  
24 RESPONSE PLANS. Information is excepted from the requirements of

1 Sections 552.021 and 552.022 if the information relates to  
2 tactical, security, or emergency procedures in a plan for  
3 preventing or responding to an act of terrorism.

4 Sec. 552.147. EXCEPTION: CERTAIN ENGINEERING,  
5 ARCHITECTURAL, OR SIMILAR PLANS. Information is excepted from the  
6 requirements of Sections 552.021 and 552.022 if the information  
7 relates to an engineering, architectural, or similar plan or  
8 drawing and disclosure of the information would jeopardize the  
9 health or safety of one or more individuals or the security of a  
10 system, a facility, or equipment.

11 SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2003.