

By: West

S.B. No. 1000

A BILL TO BE ENTITLED

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AN ACT

relating to a statistical or demographic analysis conducted by the Texas Legislative Council for a state agency and to information collected by the council in the course of performing the analysis.

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

SECTION 1. Subchapter C, Chapter 2113, Government Code, is amended by adding Section 2113.108 to read as follows:

Sec. 2113.108. CERTAIN STUDIES INVOLVING STATISTICAL OR DEMOGRAPHIC ANALYSIS. (a) A state agency may not use appropriated money to contract with a consultant or other nongovernmental entity to perform or assist the agency in performing a statistical or demographic analysis of information collected by or for the agency in the course of conducting a study that the agency is required to conduct under state law unless the agency first contacts the Texas Legislative Council to determine whether the resources of the council are available to perform or assist the agency in performing that analysis. For purposes of this section, performing a statistical or demographic analysis of information in the course of conducting a study includes designing the analysis and collecting the information required for purposes of the study.

(b) If the Texas Legislative Council determines that council resources are available to perform or assist the state agency in performing all or part of the statistical or demographic analysis, the agency must contract with the council to perform or

1 assist the agency in performing that analysis to the extent that the
2 council determines that council resources are available to the
3 agency.

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

6 Sec. 323.020. CONTRACTS TO PERFORM STATISTICAL OR
7 DEMOGRAPHIC ANALYSIS; CONFIDENTIALITY OF INFORMATION NOT AFFECTED.

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

12 (b) Information that the council collects in relation to the
13 statistical or demographic analysis that is confidential under
14 state or federal law does not lose its confidential character
15 because of its collection by the council, without regard to whether
16 the council collected the information indirectly through the state
17 agency or directly from another governmental or nongovernmental
18 entity. An entity that voluntarily provides information to the
19 council for purposes of the analysis does not waive any exception
20 from required disclosure or any privilege not to disclose the
21 information, and the confidential character of the information is
22 not affected by that action of the entity.

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