

BILL ANALYSIS

C.S.H.B. 423
By: Delisi
Government Reform
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Many state agencies produce publications that are mailed at no cost to interested parties who seek a subscription. With recent advances in electronic publication and the Internet, many of these publications are also published online. The purpose of this legislation is to require that all such mailed publications contain a notification that the publication is also available on the Internet.

RULEMAKING AUTHORITY

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

ANALYSIS

CSHB 423 amends Chapter 441 of the Government Code by requiring state agencies that distribute, by subscription and without a fee, a state publication in a physical format, such as paper, tape, or disk, to also make the publication accessible electronically on the agency's website. When distributing a state publication, an agency must inform each subscriber that instead of receiving a physical copy, the subscriber may instead access the publication on the agency's website. If a subscriber prefers to access the electronic version and notifies the agency of this preference, the agency is required to remove the subscriber from the distribution list, notify the recipient electronically each time the publication becomes available on the website, and provide an electronic link to the publication.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 423 modifies the original version by addressing publications that are distributed in any physical form, including on tape or disk, by subscription and without a cost, rather than applying to any state publication that is mailed. The substitute refers to "subscribers," not "recipients," who receive "physical copies," rather than "mailed copies."