

## **BILL ANALYSIS**

H.B. 1285  
By: Swinford  
February 17, 2005  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In order to facilitate open and honest communication between government auditors and the governmental entity under review, the public information act protects from public disclosure as confidential the working papers of an auditor of a state agency, higher education institution, county or municipality. The 78th Legislature expanded this exception for audit working papers to include county and municipal auditors. When this change was made to Section 552.116 of the Tex. Govt. Code, the amendment neglected to change the definition of "audit" in Section 552.116(b)(1) to include county and municipal audits. Currently, the definition of "audit" is limited only to state and federal audits. HB 1285 amends Tex. Govt. Code, Section 552.116(b)(1) to include in the definition of "audit" an audit authorized or required by charter or ordinance of a municipality or and order of a county commissioner in addition to those state and federal audits already included in the definition.

### **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**

Amends Section 552.116(b)(1), Government Code, by adding language to include in the definition of "audit" and audit authorized by "the charter or an ordinance of a municipality, or an order of the commissioner's court of a county."

### **EFFECTIVE DATE**

Upon passage or September 1, 2005.