

BILL ANALYSIS

H.B. 2381
By: Hegar
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Open Meetings Act, Chapter 551 of the Government Code provides that meetings of governmental bodies must be open to the public, except for expressly authorized executive sessions. Furthermore, Chapter 551 provides that the public must be given notice of the time, place and subject matter of meetings of governmental bodies.

Current law provides that *the notice of a meeting must be posted in a place readily accessible to the general public at all times* under Section 551.043, Government Code. Additionally, Section 551.049, Government Code, provides that *a county governmental body shall post notice of each meeting on a bulletin board at a place convenient to the public in the county courthouse*. However, county courthouses have limited space available to use for the posting of the large number of notices required to be posted on a daily. Furthermore, notices posted in the county courthouse are not usually *readily accessible to the general public at all times . . . at a place convenient to the public in the county courthouse*. Courthouses are closed to the public for security reasons after business hours thereby limiting the accessibility of notices posted within the building.

HB 2381 would amend Chapter 551, Government Code to permit counties to utilize the Internet as an option in addition to traditional courthouse postings for notices regarding public meetings of a county or water district. By utilizing available, common technology, counties may satisfy the requirement that notice be posted at the courthouse and remain continuously accessible to the general public. The provisions of HB 2381 are permissive and do not require a county to utilize the Internet for posting of notices.

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 Chapter 551 of the Government Code, allowing the posting of a notice for a meeting on the Internet, satisfying the requirement that a notice is posted in a place accessible to the general public. Amends sections relating to governmental bodies generally, county governmental bodies, districts or political subdivisions extending into four or more counties, and districts or political subdivisions extending into fewer than four counties, to allow public notice requirements to be satisfied by posting of a notice on the Internet.

EFFECTIVE DATE

September 1, 2005