

BILL ANALYSIS

S.B. 452
By: Wentworth
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Building and Procurement Commission (commission) and the Office of the Attorney General have certain duties and responsibilities under the Public Information Act. Specifically, the commission's duties include receiving reports from state agencies regarding requests for public information received and the costs of compiling and producing that information to the requestors.

S.B. 452 transfers all of the duties of the commission pursuant to Chapter 552, Government Code, to the Office of the Attorney General, in order to streamline the duties regarding public information into one agency.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the General Services Commission is transferred to the attorney general in SECTION 3 and SECTION 6 of this bill.

ANALYSIS

Amends the composition of the open records steering committee to include a representative of the Texas Building and Procurement Services Commission (TBPC), rather than the General Services Commission (GSC), and five public members, appointed by the attorney general, rather than the GSC. Provides that advising requirements under this section are in regards to the office of the attorney general's performance of its duties under the Government Code, rather than the GSC's performance of its duties.

Require each state governmental body to report certain information to the attorney general, rather than the TBPC.

Provides that, on the effective date of this Act, except as provided by Section 552.009(a)(1)(F), Government Code, as amended by this Act, all powers and duties of the TBPC under the public information law are transferred to the attorney general; all appropriations to the TBPC for the purpose of performing those duties, all personnel of the TBPC who are employed to perform those duties, and all records and other property of the TBPC used to perform those duties are transferred to the attorney general; all rules, forms, and signs adopted or prescribed by the TBPC or its predecessor under Chapter 552, Government Code, are continued in effect as if they were rules, forms, or signs adopted or prescribed by the attorney general until they are repealed or otherwise changed by the attorney general; and a reference in law to the TBPC, the GSC, the State Purchasing and General Services Commission, or the Board of Control in relation to the performance of the transferred duties is considered to be a reference to the attorney general. Provides that the validity of an authorization granted, determination made, or other action taken by the TBPC or its predecessor under Chapter 552, Government Code, is not affected by the transfer of powers and duties under this Act.

Amends the Government Code to make conforming changes. Amends the Labor Code to make a conforming change.

EFFECTIVE DATE

September 1, 2005

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