

BILL ANALYSIS

S.B. 1133
By: Hinojosa
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, under the Open Meetings Act, public notice is posted for the time, place, and subject matter of meetings of governmental bodies. Although, from a practical standpoint, few people actually receive this notice, there is need to provide Texans with information regarding the activities of local governmental bodies.

S.B. 1133 broadens the requirements of the Open Meetings Act, by requiring certain local governmental bodies and economic development corporations that maintain websites to post notice of meetings as well as the entire agenda packets of those meetings on their websites. Only entities with a population of 48,000 or more would be required to post their entire agenda packet.

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

Provides additional posting requirements for certain municipalities, counties, school districts, junior college districts, and development corporations. Applies only to a governmental body or economic development corporation that maintains an Internet website (website) or for which a website is maintained, and does not apply to a governmental body that is a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a county or municipality. Requires certain governmental bodies and economic development corporations to concurrently post notice of a meeting on the website of the governmental body or economic development corporation in addition to the other place at which notice is required to be posted. Requires certain governmental bodies and economic development corporations to concurrently post the agenda for the meeting on their website. Provides that the validity of a posted notice of a meeting or an agenda is not affected by a failure to comply with a requirement, if that failure is due to a technical problem beyond the control of the governmental body or economic development corporation, where there has been a good faith effort to comply. Provides that application of this Act is prospective to January 4, 2006.

EFFECTIVE DATE

January 1, 2006.