

By: McCall

H.B. No. 1607

Substitute the following for H.B. No. 1607:

By: Miller

C.S.H.B. No. 1607

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a request for public information that is sent to a
3 governmental body by electronic mail.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 552.301(c), Government Code, is amended
6 to read as follows:

7 (c)(1) For purposes of this subchapter, a written request
8 includes a request made in writing that is sent to the officer for
9 public information, or the person designated by that officer, by
10 electronic mail or facsimile transmission.

11 (2) A request that is sent to the officer for public
12 information, or the person designated by that officer, by
13 electronic mail is considered to have been received by the
14 governmental body on the first business day after the date that the
15 electronic mail was received by the officer or the officer's
16 designee as shown by an Internet protocol confirmation. For
17 purposes of this subdivision, a business day does not include a day
18 on which a governmental body is not able to access its computer
19 because of an external event beyond the control of the governmental
20 body.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005.