

By: McCall

H.B. No. 1607

A BILL TO BE ENTITLED

1 AN ACT

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 presumed to have been received by the
14 governmental body on the earlier of the date that the officer for
15 public information or the person designated by that officer opened
16 the electronic mail or the third day after the date that the
17 electronic mail was sent. A governmental body may establish that an
18 external event beyond the control of the governmental body caused
19 an additional delay in its receipt of a request sent by electronic
20 mail, and the attorney general may on the request of the
21 governmental body extend the deadlines under Subsections (b), (d),
22 and (e) accordingly.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

H.B. No. 1607

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2005.