

By: Hegar

H.B. No. 2381

A BILL TO BE ENTITLED

AN ACT

1
2 relating to posting on the Internet the notice of a meeting of the
3 governing body of a county and certain districts and political
4 subdivisions.

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

6 SECTION 1. Section 551.043, Government Code, is amended to
7 read as follows:

8 Sec. 551.043. TIME AND ACCESSIBILITY OF NOTICE; GENERAL
9 RULE. (a) The notice of a meeting of a governmental body must be
10 posted in a place readily accessible to the general public at all
11 times for at least 72 hours before the scheduled time of the
12 meeting, except as provided by Sections 551.044-551.046.

13 (b) If this chapter specifically requires or allows a
14 governmental body to post notice of a meeting on the Internet:

15 (1) the governmental body satisfies the requirement
16 that the notice must be posted in a place readily accessible to the
17 general public at all times by making a good-faith attempt to
18 continuously post the notice on the Internet during the prescribed
19 period;

20 (2) the governmental body must still comply with any
21 duty imposed by this chapter to physically post the notice at a
22 particular location; and

23 (3) if the governmental body makes a good-faith
24 attempt to continuously post the notice on the Internet during the

1 prescribed period, the notice physically posted at the location
2 prescribed by this chapter must be readily accessible to the
3 general public during normal business hours.

4 SECTION 2. Section 551.049, Government Code, is amended to
5 read as follows:

6 Sec. 551.049. COUNTY GOVERNMENTAL BODY: PLACE OF POSTING
7 NOTICE. A county governmental body:

8 (1) shall post notice of each meeting on a bulletin
9 board at a place convenient to the public in the county courthouse;
10 and

11 (2) may post notice of each meeting on the county's
12 official Internet website.

13 SECTION 3. Section 551.053, Government Code, is amended to
14 read as follows:

15 Sec. 551.053. DISTRICT OR POLITICAL SUBDIVISION EXTENDING
16 INTO FOUR OR MORE COUNTIES: NOTICE TO PUBLIC, SECRETARY OF STATE,
17 AND COUNTY CLERK; PLACE OF POSTING NOTICE. (a) The governing body
18 of a water district or other district or political subdivision that
19 extends into four or more counties [~~shall~~]:

20 (1) shall post notice of each meeting at a place
21 convenient to the public in the administrative office of the
22 district or political subdivision;

23 (2) may post notice of each meeting on the official
24 Internet website of the district or political subdivision;

25 (3) shall provide notice of each meeting to the
26 secretary of state; and

27 (4) shall [~~(3)~~] provide notice of each meeting to the

1 county clerk of the county in which the administrative office of the
2 district or political subdivision is located.

3 (b) The secretary of state shall post the notice provided
4 under Subsection (a)(3) [~~(a)(2)~~] on the Internet. The secretary of
5 state shall provide during regular office hours a computer terminal
6 at a place convenient to the public in the office of the secretary
7 of state that members of the public may use to view the notice.

8 (c) A county clerk:

9 (1) shall post the notice provided under Subsection
10 (a)(4) [~~(a)(3)~~] on a bulletin board at a place convenient to the
11 public in the county courthouse; and

12 (2) may post each notice provided under Subsection
13 (a)(4) on the county's official Internet website.

14 SECTION 4. Section 551.054, Government Code, is amended to
15 read as follows:

16 Sec. 551.054. DISTRICT OR POLITICAL SUBDIVISION EXTENDING
17 INTO FEWER THAN FOUR COUNTIES: NOTICE TO PUBLIC AND COUNTY CLERKS;
18 PLACE OF POSTING NOTICE. (a) The governing body of a water
19 district or other district or political subdivision that extends
20 into fewer than four counties [~~shall~~]:

21 (1) shall post notice of each meeting at a place
22 convenient to the public in the administrative office of the
23 district or political subdivision;

24 (2) may post notice of each meeting on the official
25 Internet website of the district or political subdivision; and

26 (3) shall [~~(2)~~] provide notice of each meeting to the
27 county clerk of each county in which the district or political

1 subdivision is located.

2 (b) A county clerk:

3 (1) shall post the notice provided under Subsection
4 (a)(3) [~~(a)(2)~~] on a bulletin board at a place convenient to the
5 public in the county courthouse; and

6 (2) may post each notice provided under Subsection
7 (a)(3) on the county's official Internet website.

8 SECTION 5. This Act takes effect September 1, 2005.