

1-1 By: Hegar (Senate Sponsor - Armbrister) H.B. No. 2381  
1-2 (In the Senate - Received from the House May 10, 2005;  
1-3 May 12, 2005, read first time and referred to Committee on State  
1-4 Affairs; May 20, 2005, reported favorably, as amended, by the  
1-5 following vote: Yeas 7, Nays 0; May 20, 2005, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Ellis

1-7 Amend H.B. 2381 (Engrossed Version) as follows:

1-8 (1) Strike SECTIONS 2, 3, and 4 and renumber subsequent  
1-9 SECTIONS of the bill accordingly.

1-10 A BILL TO BE ENTITLED  
1-11 AN ACT

1-12 relating to posting on the Internet the notice of a meeting of the  
1-13 governing body of a county and certain districts and political  
1-14 subdivisions.

1-15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-16 SECTION 1. Section 551.043, Government Code, is amended to  
1-17 read as follows:

1-18 Sec. 551.043. TIME AND ACCESSIBILITY OF NOTICE; GENERAL  
1-19 RULE. (a) The notice of a meeting of a governmental body must be  
1-20 posted in a place readily accessible to the general public at all  
1-21 times for at least 72 hours before the scheduled time of the  
1-22 meeting, except as provided by Sections 551.044-551.046.

1-23 (b) If this chapter specifically requires or allows a  
1-24 governmental body to post notice of a meeting on the Internet:

1-25 (1) the governmental body satisfies the requirement  
1-26 that the notice must be posted in a place readily accessible to the  
1-27 general public at all times by making a good-faith attempt to  
1-28 continuously post the notice on the Internet during the prescribed  
1-29 period;

1-30 (2) the governmental body must still comply with any  
1-31 duty imposed by this chapter to physically post the notice at a  
1-32 particular location; and

1-33 (3) if the governmental body makes a good-faith  
1-34 attempt to continuously post the notice on the Internet during the  
1-35 prescribed period, the notice physically posted at the location  
1-36 prescribed by this chapter must be readily accessible to the  
1-37 general public during normal business hours.

1-38 SECTION 2. Section 551.049, Government Code, is amended to  
1-39 read as follows:

1-40 Sec. 551.049. COUNTY GOVERNMENTAL BODY: PLACE OF POSTING  
1-41 NOTICE. A county governmental body:

1-42 (1) shall post notice of each meeting on a bulletin  
1-43 board at a place convenient to the public in the county courthouse;  
1-44 and

1-45 (2) may post notice of each meeting on the county's  
1-46 official Internet website.

1-47 SECTION 3. Section 551.053, Government Code, is amended to  
1-48 read as follows:

1-49 Sec. 551.053. DISTRICT OR POLITICAL SUBDIVISION EXTENDING  
1-50 INTO FOUR OR MORE COUNTIES: NOTICE TO PUBLIC, SECRETARY OF STATE,  
1-51 AND COUNTY CLERK; PLACE OF POSTING NOTICE. (a) The governing body  
1-52 of a water district or other district or political subdivision that  
1-53 extends into four or more counties ~~shall~~:

1-54 (1) shall post notice of each meeting at a place  
1-55 convenient to the public in the administrative office of the  
1-56 district or political subdivision;

1-57 (2) may post notice of each meeting on the official  
1-58 Internet website of the district or political subdivision;

1-59 (3) shall provide notice of each meeting to the  
1-60 secretary of state; and

1-61 (4) shall ~~(3)~~ provide notice of each meeting to the  
1-62 county clerk of the county in which the administrative office of the

2-1 district or political subdivision is located.

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

2-7 (c) A county clerk:

2-8 (1) shall post the notice provided under Subsection  
2-9 (a)(4) [~~(a)(3)~~] on a bulletin board at a place convenient to the  
2-10 public in the county courthouse; and

2-11 (2) may post each notice provided under Subsection  
2-12 (a)(4) on the county's official Internet website.

2-13 SECTION 4. Section 551.054, Government Code, is amended to  
2-14 read as follows:

2-15 Sec. 551.054. DISTRICT OR POLITICAL SUBDIVISION EXTENDING  
2-16 INTO FEWER THAN FOUR COUNTIES: NOTICE TO PUBLIC AND COUNTY CLERKS;  
2-17 PLACE OF POSTING NOTICE. (a) The governing body of a water  
2-18 district or other district or political subdivision that extends  
2-19 into fewer than four counties [~~shall~~]:

2-20 (1) shall post notice of each meeting at a place  
2-21 convenient to the public in the administrative office of the  
2-22 district or political subdivision;

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

2-25 (3) shall [~~(2)~~] provide notice of each meeting to the  
2-26 county clerk of each county in which the district or political  
2-27 subdivision is located.

2-28 (b) A county clerk:

2-29 (1) shall post the notice provided under Subsection  
2-30 (a)(3) [~~(a)(2)~~] on a bulletin board at a place convenient to the  
2-31 public in the county courthouse; and

2-32 (2) may post each notice provided under Subsection  
2-33 (a)(3) on the county's official Internet website.

2-34 SECTION 5. This Act takes effect September 1, 2005.

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