

BILL ANALYSIS

Senate Research Center

S.B. 596
By: Wentworth
Natural Resources
6/29/2007
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Public Information Act governs what information a governmental body is required to submit to the public upon request. Certain exemptions exist regarding disclosure of information relating to a business transaction that would protect government planning or the negotiation of a position with respect to real or personal property transactions. Section 11.086, Natural Resources Code, states what transactional information is confidential and exempt from disclosure. Such exemption from disclosure may protect the permanent school fund from competitive disadvantage, as the School Land Board has been authorized by the 79th Legislature to make transactions involving the maintenance, protection, or enhancement of permanent school fund property.

S.B. 596 expands the exemptions to include the disclosure of transactions that involve the transfer of land where no deed is required. This bill authorizes transactions involving the maintenance, protection, or enhancement of permanent school fund property by the School Land Board to remain confidential for a period of time.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.086, Natural Resources Code, as follows:

Sec. 11.086. New heading: CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO PURCHASE, SALE, OR DEVELOPMENT OF REAL PROPERTY. (a) Provides that information relating to the development, location, purchase price, or sale price of real property developed, purchased, or sold by certain entities, including a contract provision related to the development, purchase, or sale of the property (information), is confidential and exempt from disclosure under Chapter 552 (Public Information), Government Code, until all deeds applicable to the transaction or a series of related transactions of the property are executed, and until all substantive performance or executory requirements of applicable contracts have been satisfied. Sets forth the type of information that is confidential and exempted from disclosure under this subsection, including any report prepared in anticipation of the development, purchase, or sale of real property.

(b) Specifies that information that is confidential and excluded from disclosure under Subsection (a) is not subject to a subpoena directed to certain state entities or state elected officials.

SECTION 2. Effective date: upon passage or September 1, 2007.