

1-1 By: Van Arsdale (Senate Sponsor - Williams) H.B. No. 1497
1-2 (In the Senate - Received from the House March 26, 2007;
1-3 April 3, 2007, read first time and referred to Committee on State
1-4 Affairs; May 8, 2007, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 8, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the consequences of the failure by a person requesting
1-9 information under the public information law to timely respond to
1-10 certain written communications from a governmental body.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 552.222, Government Code, is amended by
1-13 adding Subsections (d), (e), and (f) to read as follows:

1-14 (d) If by the 61st day after the date a governmental body
1-15 sends a written request for clarification or discussion under
1-16 Subsection (b) or an officer for public information or agent sends a
1-17 written request for additional information under Subsection (c) the
1-18 governmental body, officer for public information, or agent, as
1-19 applicable, does not receive a written response from the requestor,
1-20 the underlying request for public information is considered to have
1-21 been withdrawn by the requestor.

1-22 (e) A written request for clarification or discussion under
1-23 Subsection (b) or a written request for additional information
1-24 under Subsection (c) must include a statement as to the
1-25 consequences of the failure by the requestor to timely respond to
1-26 the request for clarification, discussion, or additional
1-27 information.

1-28 (f) If the requestor's request for public information
1-29 included the requestor's physical or mailing address, the request
1-30 may not be considered to have been withdrawn under Subsection (d)
1-31 unless the governmental body, officer for public information, or
1-32 agent, as applicable, sends the request for clarification or
1-33 discussion under Subsection (b) or the written request for
1-34 additional information under Subsection (c) to that address by
1-35 certified mail.

1-36 SECTION 2. Sections 552.222(d), (e), and (f), Government
1-37 Code, as added by this Act, apply only to a request for information
1-38 that is received by a governmental body or an officer for public
1-39 information on or after the effective date of this Act. A request
1-40 for information that was received before the effective date of this
1-41 Act is governed by the law in effect on the date the request was
1-42 received, and the former law is continued in effect for that
1-43 purpose.

1-44 SECTION 3. This Act takes effect September 1, 2007.

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