

By: Wentworth

S.B. No. 175

A BILL TO BE ENTITLED

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AN ACT

relating to the calculation of certain deadlines under the public information law.

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

SECTION 1. Subsection (f), Section 552.263, Government Code, is amended to read as follows:

(f) A requestor who fails to make a deposit or post a bond required under Subsection (a) before the 10th business day after the date the deposit or bond is required is considered to have withdrawn the request for the copy of the public information that precipitated the requirement of the deposit or bond.

SECTION 2. Subsection (a), Section 552.306, Government Code, is amended to read as follows:

(a) Except as provided by Section 552.011, the attorney general shall promptly render a decision requested under this subchapter, consistent with the standards of due process, determining whether the requested information is within one of the exceptions of Subchapter C. The attorney general shall render the decision not later than the 45th business [~~working~~] day after the date the attorney general received the request for a decision. If the attorney general is unable to issue the decision within the 45-day period, the attorney general may extend the period for issuing the decision by an additional 10 business [~~working~~] days by informing the governmental body and the requestor, during the

1 original 45-day period, of the reason for the delay.

2 SECTION 3. Subsection (b), Section 552.307, Government
3 Code, is amended to read as follows:

4 (b) If a decision is not requested under Subsection (a), the
5 governmental body shall release the information to the person with
6 a special right of access under Section 552.023 not later than the
7 10th business day after the date of receiving the request for
8 information.

9 SECTION 4. The changes in law made by this Act to Sections
10 552.263, 552.306, and 552.307, Government Code, apply only in
11 relation to a request for public information that is made under
12 Chapter 552, Government Code, on or after the effective date of this
13 Act.

14 SECTION 5. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2007.