

By: Wentworth

S.B. No. 175

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the calculation of certain deadlines under the public  
3 information law.

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

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

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10 withdrawn the request for the copy of the public information that  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

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

14 (a) Except as provided by Section 552.011, the attorney  
15 general shall promptly render a decision requested under this  
16 subchapter, consistent with the standards of due process,  
17 determining whether the requested information is within one of the  
18 exceptions of Subchapter C. The attorney general shall render the  
19 decision not later than the 45th business [~~working~~] day after the  
20 date the attorney general received the request for a decision. If  
21 the attorney general is unable to issue the decision within the  
22 45-day period, the attorney general may extend the period for  
23 issuing the decision by an additional 10 business [~~working~~] days by  
24 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.