

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 26, 2007

TO: Honorable Helen Giddings, Chair, House Committee on Business & Industry

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2305 by Talton (Relating to the availability under the public information law of certain documents filed with a county clerk or a district clerk.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Sections 552.117(b) and 552.1175(e), Government Code, to specify criteria under which documents filed with a county clerk and a district clerk would be exempt from requirements imposed by Sections 552.117 and 552.1175. The bill would take effect September 1, 2007.

Under current statute, Sections 552.117 and 552.1175 create an exception from disclosure under public information requirements the address, telephone number, social security number, and personal family information of certain officials and employees of certain governmental bodies and agencies. That nondisclosure exception does not apply to documents filed with a county or district clerk. Under the proposed change in statute, documents filed with the county or district clerk would be exempt from the nondisclosure only if the documents are not available on the Internet to the general public, or if before giving access to a document or providing a copy of a document, the clerk obtains and makes a permanent record of the name, address, and date of birth of the person requesting the document.

Local Government Impact

The County and District Clerks Association reports that the increase in operational costs involved with implementing the provisions of the bill would be significant for most counties, and that all counties would likely incur costs for additional staff. The cost increase would vary by county depending on the number of applicable records maintained by each county.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: JOB, JRO, DB, CT