

BILL ANALYSIS

H.B. 3544
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State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

H.B. 3544 authorizes the Texas Commission on Environmental Quality to utilize electronic means of transmission for certain information it issued or sent with respect to electronic reporting statutes. The bill provides an exception to provisions of the public information law that make e-mail addresses provided to a governmental body confidential and nondisclosable by removing that limitation for an e-mail address supplied for the purpose of providing public comment or receiving notices, orders, or decisions from a governmental body. The bill, toward the encouragement of requests for electronic copies, deletes certain references to paper copies in provisions relating to responses to requests for public information.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3544 amends the Water Code to require the Texas Commission on Environmental Quality, in encouraging the use of electronic reporting through the Internet, to utilize electronic means of transmission of information, including notices, orders, and decisions issued or sent by the commission. The bill makes conforming changes in the Tax Code relating to electronic reporting by the commission.

H.B. 3544 amends the Government Code to specify that provisions making an e-mail address of a member of the public confidential and nondisclosable, if provided for the purpose of communicating electronically with a governmental body, do not apply to an e-mail address that is provided to a governmental body by a person for the purpose of providing public comment or receiving notices, orders, or decisions from a governmental body.

H.B. 3544 removes the authorization for a requestor to request a paper copy of public information that exists in an electronic or magnetic medium. The bill amends provisions relating to situations in which a governmental body is unable to provide a copy of information in a requested medium, to require the governmental body in such a circumstance to provide a copy in another medium that is acceptable to the requestor.

EFFECTIVE DATE

Except as otherwise provided, September 1, 2009.