

By: Zerwas

H.B. No. 495

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the distribution of state agency publications and
3 reports to members of the legislature, the governor, and other
4 state officials.

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

6 SECTION 1. The heading to Subchapter A, Chapter 2052,
7 Government Code, is amended to read as follows:

8 SUBCHAPTER A. REPORTS FOR LEGISLATURE, ~~OR~~ GOVERNOR, OR
9 OTHER STATE OFFICIALS

10 SECTION 2. The heading to Section 2052.002, Government
11 Code, is amended to read as follows:

12 Sec. 2052.002. DISTRIBUTION OF PUBLICATIONS TO
13 LEGISLATORS, GOVERNOR, OR STATE OFFICIALS.

14 SECTION 3. Sections 2052.002(a), (b), (c), and (e),
15 Government Code, are amended to read as follows:

16 (a) To avoid waste in the duplication and distribution of
17 state agency publications, a state agency that issues a publication
18 relating to the work of the agency and distributes the publication
19 to members of the legislature, the governor, or other state
20 officials shall send to each member, the governor, and each
21 official, as appropriate, before distributing the publication a
22 written notice to determine whether the member, governor, or
23 official wants to receive the publication.

24 (b) The state agency shall include with the notice:

- 1 (1) the name of the publication;
2 (2) a brief written summary of the publication;
3 (3) the distribution date of the publication;
4 (4) the manner in which the publication may be
5 obtained electronically; and
6 (5) the manner in which a printed copy of the
7 publication may be requested.

8 (c) A member, the governor, or a state official who elects
9 to receive a printed copy of the publication shall notify the state
10 agency.

11 (e) In this section, "state agency" means:

12 (1) a department, commission, board, office, or other
13 agency that is in the executive or legislative branch of state
14 government and that was created by the constitution or a statute of
15 this state;

16 (2) a university system or institution of higher
17 education as defined by Section 61.003, Education Code; or

18 (3) the supreme court, the court of criminal appeals,
19 a court of appeals, or the Texas Judicial Council.

20 SECTION 4. The heading to Section 2052.0021, Government
21 Code, is amended to read as follows:

22 Sec. 2052.0021. DISTRIBUTION OF REPORTS TO LEGISLATORS,
23 GOVERNOR, OR STATE OFFICIALS.

24 SECTION 5. Sections 2052.0021(b), (c), (d), and (e),
25 Government Code, are amended to read as follows:

26 (b) Notwithstanding other law, a state agency report
27 required by law may be made available to members of the legislature,

1 the governor, or state officials only in accordance with this
2 section.

3 (c) A state agency shall make each report required by law
4 available to members of the legislature, the governor, or other
5 state officials, as appropriate. The report must be in an
6 electronic format determined by the Texas Legislative Council. The
7 agency on request shall promptly send a suitable printed copy of the
8 report to a member, the governor, or a state official [~~of the~~
9 ~~legislature at the request of the member~~].

10 (d) At the time a report required by law is ready for
11 distribution outside the state agency, the agency shall send
12 written notice that the report is available to each member of the
13 legislature, the governor, and each state official required by law
14 to receive the report [~~that the report is available~~]. The agency
15 shall send the notice by mail or, if it is acceptable to the member,
16 governor, or official, electronically. The notice must briefly
17 describe the subject matter of the report and state:

18 (1) the manner in which the member, governor, or
19 official may obtain the report electronically; and

20 (2) that the agency on request will send a printed copy
21 of the report to the member, governor, or official [~~at the request~~
22 ~~of the member~~].

23 (e) This section does not affect the duty of a state agency
24 to directly send a printed copy of a report to an officer or
25 committee of the legislature, the governor, or a state official if
26 other law specifically requires that a printed copy of the report be
27 sent to the [~~that~~] officer, [~~or~~] committee, governor, or state

1 official, and the agency is not required to comply with this section
2 before sending the report to the [~~that~~] officer, [or] committee,
3 governor, or state official.

4 SECTION 6. Section 2052.002(d), Government Code, is
5 repealed.

6 SECTION 7. The change in law made by this Act applies only
7 to a report or publication distributed by a state agency on or after
8 the effective date of this Act.

9 SECTION 8. This Act takes effect September 1, 2009.