

By: Marquez

H.B. No. 2909

A BILL TO BE ENTITLED

AN ACT

1
2 relating to allowing a governmental body to redact certain personal
3 information under the public information law without the necessity
4 of requesting a decision from the attorney general and the
5 calculation of certain deadlines under the public information law.

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

7 SECTION 1. Section 552.024(c), Government Code, is amended
8 to read as follows:

9 (c) If the employee or official or former employee or
10 official chooses not to allow public access to the information or if
11 the information is excepted under Section 552.117 without regard to
12 whether the person complies with this section:

13 (1) [] the information is protected under Subchapter
14 C; and

15 (2) the governmental body may redact the information
16 from any information the governmental body discloses under Section
17 552.021 without the necessity of requesting a decision from the
18 attorney general under Subchapter G.

19 SECTION 2. Section 552.1175, Government Code, is amended by
20 adding Subsection (f) to read as follows:

21 (f) A governmental body may redact information that must be
22 withheld under Subsection (b) from any information the governmental
23 body discloses under Section 552.021 without the necessity of
24 requesting a decision from the attorney general under Subchapter G.

1 SECTION 3. Section 552.130, Government Code, is amended by
2 adding Subsection (c) to read as follows:

3 (c) Subject to Chapter 730, Transportation Code, a
4 governmental body may redact information described by Subsection
5 (a) from any information the governmental body discloses under
6 Section 552.021 without the necessity of requesting a decision from
7 the attorney general under Subchapter G.

8 SECTION 4. Section 552.136, Government Code, is amended by
9 adding Subsection (c) to read as follows:

10 (c) A governmental body may redact information that must be
11 withheld under Subsection (b) from any information the governmental
12 body discloses under Section 552.021 without the necessity of
13 requesting a decision from the attorney general under Subchapter G.

14 SECTION 5. Section 552.137, Government Code, is amended by
15 adding Subsection (e) to read as follows:

16 (e) A governmental body may redact information that may be
17 withheld under this section from any information the governmental
18 body discloses under Section 552.021 without the necessity of
19 requesting a decision from the attorney general under Subchapter G.

20 SECTION 6. Section 552.138, Government Code, is amended by
21 adding Subsection (c) to read as follows:

22 (c) A governmental body may redact information maintained
23 by a family violence shelter center or sexual assault program that
24 may be withheld under Subsection (b)(1) or (6) from any information
25 the governmental body discloses under Section 552.021 without the
26 necessity of requesting a decision from the attorney general under
27 Subchapter G.

1 SECTION 7. Section 552.263, Government Code, is amended by
2 adding Subsection (e-1) to read as follows:

3 (e-1) If a requestor modifies the request in response to the
4 requirement of a deposit or bond authorized by this section, the
5 modified request is considered a separate request for the purposes
6 of this chapter and is considered received on the date the
7 governmental body receives the written modified request.

8 SECTION 8. Section 552.301, Government Code, is amended by
9 adding Subsection (a-1) to read as follows:

10 (a-1) For the purposes of this subchapter, if a governmental
11 body receives a written request by the United States mail and cannot
12 adequately establish the actual date on which the governmental body
13 received the request, the written request is considered to have
14 been received by the governmental body on the third business day
15 after the date of the postmark on a properly addressed request.

16 SECTION 9. The changes in law made by this Act to Sections
17 552.263 and 552.301, Government Code, apply only to a request for
18 information that is received by a governmental body or an officer
19 for public information on or after the effective date of this Act.
20 A request for information that was received before the effective
21 date of this Act is governed by the law in effect on the date the
22 request was received, and the former law is continued in effect for
23 that purpose.

24 SECTION 10. This Act takes effect September 1, 2009.