

By: Homer

H.B. No. 4140

Substitute the following for H.B. No. 4140:

By: Solomons

C.S.H.B. No. 4140

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a bulk data request for information under the public
3 information law.

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

5 SECTION 1. Section 552.003, Government Code, is amended by
6 adding Subdivision (7) to read as follows:

7 (7) "Bulk data request" means a request for copies of
8 public information that would involve producing copies of 100 pages
9 or more in response.

10 SECTION 2. Section 552.228, Government Code, is amended by
11 adding Subsections (d) and (e) to read as follows:

12 (d) Notwithstanding any other provision of this chapter, a
13 governmental body is not required to produce:

14 (1) information in response to a bulk data request in
15 any medium other than that in which the information is maintained;
16 or

17 (2) a document responsive to a bulk data request in the
18 requested format if the public information is maintained in the
19 same medium as the medium requested by the requestor.

20 (e) Subsection (d) does not apply if the requestor is a
21 representative of:

22 (1) a radio or television station that holds a license
23 issued by the Federal Communications Commission;

24 (2) a newspaper that is qualified under Section

1 2051.044 to publish legal notices or is a free newspaper of general
2 circulation and that is published at least once a week and available
3 and of interest to the general public in connection with the
4 dissemination of news;

5 (3) a title company; or

6 (4) a company that provides information obtained from
7 a governmental body to a title company.

8 SECTION 3. Section 552.261, Government Code, is amended by
9 adding Subsections (e) and (f) to read as follows:

10 (e) Notwithstanding any other provision of this chapter, a
11 governmental body may charge an amount not to exceed two cents per
12 page in providing a copy of information subject to a bulk data
13 request regardless of the medium requested by the requestor.

14 (f) Subsection (e) does not apply if the requestor is a
15 representative of:

16 (1) a radio or television station that holds a license
17 issued by the Federal Communications Commission;

18 (2) a newspaper that is qualified under Section
19 2051.044 to publish legal notices or is a free newspaper of general
20 circulation and that is published at least once a week and available
21 and of interest to the general public in connection with the
22 dissemination of news;

23 (3) a title company; or

24 (4) a company that provides information obtained from
25 a governmental body to a title company.

26 SECTION 4. The changes in law made by this Act to Sections
27 552.228 and 552.261, Government Code, apply only to a request for

1 information that is received by a governmental body or an officer
2 for public information on or after the effective date of this Act.
3 A request for information that was received before the effective
4 date of this Act is governed by the law in effect on the date the
5 request was received, and the former law is continued in effect for
6 that purpose.

7 SECTION 5. This Act takes effect September 1, 2009.