

By: Shapleigh

S.B. No. 671

A BILL TO BE ENTITLED

AN ACT

relating to information requested by a member, committee, or agency of the legislature under the public information law.

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

SECTION 1. Section 552.008, Government Code, is amended by adding Subsections (b-1) and (b-2) to read as follows:

(b-1) A member, committee, or agency of the legislature required by a governmental body to sign a confidentiality agreement under Subsection (b) may seek a decision as provided by Subsection (b-2) about whether the information covered by the confidentiality agreement is confidential under law. A confidentiality agreement signed under Subsection (b) is void to the extent that the agreement covers information that is finally determined under Subsection (b-2) to not be confidential under law.

(b-2) The member, committee, or agency of the legislature may seek a decision from the attorney general about the matter. The attorney general by rule shall establish procedures and deadlines for receiving information necessary to decide the matter and briefs from the requestor, the governmental body, and any other interested person. The attorney general shall promptly render a decision requested under this subsection, determining whether the information covered by the confidentiality agreement is confidential under law, not later than the 45th business day after the date the attorney general received the request for a decision

1 under this subsection. The attorney general shall issue a written
2 decision on the matter and provide a copy of the decision to the
3 requestor, the governmental body, and any interested person who
4 submitted necessary information or a brief to the attorney general
5 about the matter. The requestor or the governmental body may appeal
6 a decision of the attorney general under this subsection to a Travis
7 County district court. A person may appeal a decision of the
8 attorney general under this subsection to a Travis County district
9 court if the person claims a proprietary interest in the
10 information affected by the decision or a privacy interest in the
11 information that a confidentiality law or judicial decision is
12 designed to protect.

13 SECTION 2. This Act takes effect September 1, 2010.