

By: Wentworth

S.B. No. 1630

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the availability of information under the public
3 information law.

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

5 SECTION 1. Section 552.105, Government Code, is amended to
6 read as follows:

7 Sec. 552.105. EXCEPTION: INFORMATION RELATED TO LOCATION
8 OR PRICE OF PROPERTY. (a) Information is not public information
9 under this chapter [~~excepted from the requirements of Section~~
10 ~~552.021~~] if it is information relating to:

11 (1) the location of real or personal property for a
12 public purpose prior to public announcement of the project; or

13 (2) appraisals or purchase price of real or personal
14 property for a public purpose prior to the formal award of contracts
15 for the property.

16 (b) Section 552.022 does not apply to information described
17 by Subsection (a).

18 SECTION 2. Section 552.221(b), Government Code, is amended
19 to read as follows:

20 (b) An officer for public information complies with
21 Subsection (a) by:

22 (1) providing the public information for inspection or
23 duplication in the offices of the governmental body; [~~or~~]

24 (2) sending copies of the public information by first

1 class United States mail if the person requesting the information
2 requests that copies be provided and pays the postage and any other
3 applicable charges that the requestor has accrued under Subchapter
4 F; or

5 (3)(A) informing the person requesting the
6 information, in writing, that the public information is available
7 on an Internet website that is:

8 (i) owned, controlled, or maintained by the
9 governmental body; and

10 (ii) accessible to members of the general
11 public;

12 (B) providing the person, in writing, the exact
13 Internet location or uniform resource locator (URL) address where
14 the person can access the public information; and

15 (C) offering the person access to a computer
16 terminal at no charge so that the person can access the public
17 information on the Internet website.

18 SECTION 3. Section 552.228(a), Government Code, is amended
19 to read as follows:

20 (a) It shall be a policy of a governmental body to provide a
21 suitable copy of public information within a reasonable time after
22 the date on which the copy is requested. This policy of a
23 governmental body is considered to be fulfilled if the governmental
24 body complies with Section 552.221(b).

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.