

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 15, 2009

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3544 by Lucio III (Relating to electronic notices by the Texas Commission on Environmental Quality, electronically stored information provided by a governmental body, and confidentiality of e-mail addresses provided to a governmental body.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would authorize the Texas Commission on Environmental Quality (TCEQ) to utilize electronic means of transmission for information issued or sent by the agency and would update an obsolete reference to the agency's name. The bill would also provide an additional exemption from non-disclosure of email addresses under the Public Information Act for email addresses provided for the purpose of providing public comment, or receiving notices, orders, or decisions from a governmental body. The bill would also delete a reference to paper copies of public information provided by a governmental body so as to encourage requests for electronic copies in lieu of paper.

The bill would authorize the TCEQ to issue notices, orders and decisions by electronic means in lieu of hardcopy. As a result, the agency could experience a savings with respect to the cost of paper and postage. This estimate does not assume that the resulting savings would be significant relative to the TCEQ's budget.

Local Government Impact

The bill would require a governmental entity with public information stored electronically to provide the information electronically only if the governmental entity has the technological capabilities, and would not have to purchase software or hardware. A governmental entity that does not have the technological capabilities to comply with a request in the format requested, must provide the information in a format acceptable to the requestor. The costs to local governmental entities associated with implementing the provisions of the bill are not anticipated to be significant.

Source Agencies: 313 Department of Information Resources, 582 Commission on Environmental Quality

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