

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 8, 2009**

**TO:** Honorable Burt R. Solomons, Chair, House Committee on State Affairs

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

**IN RE: SB331** by Carona (Relating to access to certain information under the public information law concerning public officers and employees.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

Currently a member, committee, or agency of the legislature can request confidential information from a governmental body; however, the governmental body may choose to require the requestor to sign a confidentiality agreement before the information is released. The bill would amend the Government Code to allow a member, committee, or agency of the legislature to seek a decision from the Attorney General about whether the information covered by the confidentiality agreement is confidential under law.

This portion of the bill would take effect September 1, 2010.

The bill would also amend the Government Code to eliminate the need for current and former employees and officers to provide written directions in order to restrict public access to their home address, home telephone number, social security number, and to information indicating whether the individual has family members. Under the provisions of the bill, such information would be protected from disclosure by default, and employees would have to make a written request if they want their information released.

The bill would also exempt from public disclosure information that could reasonably be expected to compromise the safety of an employee or official if it were released. To have the information withheld, the individual must apply in writing, describing the information involved and the specific circumstances that make its release dangerous. The agency's Public Information Officer would request a decision from the Attorney General regarding withholding the information.

The bill would apply in relation to requests for information made before, on, or after the relevant provisions of this act.

The agencies contacted indicate there would be no significant fiscal implication to the State.

Except as otherwise provided by this Act, if this Act does not receive the vote necessary for immediate effect, then except as otherwise provided by this Act, this Act takes effect September 1, 2009.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 347 Public Finance Authority, 454 Department of Insurance, 477 Commission on State Emergency Communications, 504 Texas State Board of Dental Examiners, 520 Board of Examiners of Psychologists, 539 Aging and Disability Services, Department of, 582 Commission on Environmental Quality, 696 Department of Criminal Justice, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

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