

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 22, 2009

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

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

IN RE: SB1630 by Wentworth (Relating to the availability of information under the public information law.), **Committee Report 2nd House, As Amended**

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 relating to the availability of information under the public information law. Under current law, information regarding the location or purchase price of real or personal property for a public purpose prior to a public announcement, or formal award of a contract is excepted from the public information law.

The bill would allow a public information officer to inform a person requesting information in writing that the public information is available on a governmental body's Internet website, and provide the exact Internet location or uniform resource locator (URL) in writing, as well as offer the person access to a computer at no charge.

The bill would clarify that if a person who is provided public information for inspection at a governmental office or by accessing public information on an Internet website subsequently requests copies of the public information, the governmental body may charge the person for copies as provided by current law. This provision would not apply to real property record title information, including tax parcel identification numbers.

The bill would exclude a nonprofit corporation organized for the purposes of a chamber of commerce from the definition of a "Governmental body" under Section 552.003(1) of the Government Code.

The agencies contacted indicate that any costs associated with the bill, including any additional equipment, training, or security for public access to computers, could be absorbed within existing resources.

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: 305 General Land Office and Veterans' Land Board, 306 Library & Archives Commission, 307 Secretary of State, 320 Texas Workforce Commission, 360 State Office of Administrative Hearings, 403 Veterans Commission, 452 Department of Licensing and Regulation, 458 Alcoholic Beverage Commission, 473 Public Utility Commission of Texas, 507 Texas Board of Nursing, 515 Board of Pharmacy, 551 Department of Agriculture, 697 Board of Pardons and Paroles, 701 Central Education Agency, 771 School for the Blind and Visually Impaired, 772 School for the Deaf, 781 Higher Education Coordinating Board

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