

BILL ANALYSIS

C.S.H.B. 2313
By: Coleman
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Several decades ago, law relating to open meetings was passed to increase transparency within local government, but some interested parties contend that certain provisions of the law need to be amended and updated to further align such law with its true intent and purpose. For example, the posting of items such as a sheriff's update or a county clerk's report by a commissioners court of a county does not sufficiently notify a reader of the subjects to be addressed at a meeting. When there are no actions taken or possible actions being discussed, such notices seem to some too vague and unnecessary. C.S.H.B. 2313 seeks to address these issues by establishing provisions relating to certain notice requirements for municipalities and counties under the open meetings law.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2313 amends the Government Code to include a county commissioners court under provisions applicable to a municipality authorizing the governing body of a municipality to receive from staff, and authorizing a member of the governing body to make, a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by the open meetings law if no action is taken and, with certain exceptions, possible action is not discussed regarding the information provided in the report. The bill makes conforming changes, including a change in the definition of "items of community interest."

C.S.H.B. 2313, in addition to the requirement to post notice of each meeting on a bulletin board at a place convenient to the public in the city hall, authorizes a municipal governmental body to post notice of each meeting on the municipality's official Internet website. The bill requires a municipal governmental body posting such notice on the Internet to provide during regular office hours a computer terminal at certain municipal facilities convenient to the public that members of the public may use to view notices of meetings posted by the municipality.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2313 contains provisions not included in the original authorizing a municipal governmental body to post notice of each meeting on the municipality's official Internet website and requiring a municipal governmental body posting such notice on the Internet to provide during regular office hours a computer terminal at certain municipal facilities convenient to the

public that members of the public may use to view notices of meetings posted by the municipality.