

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2313
By: Coleman (Wentworth)
Open Government
5/12/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the last legislative session a bill was enacted to allow a municipality's governing body to receive staff reports during a meeting of the body, provided that no action is taken and there is no discussion of possible action on the information contained in the report. This legislation extends the same privilege to county governments.

In addition, C.S.H.B. 2313 provides that a municipal government may post notice of its meetings on the municipality's official website. The posting of such notice is discretionary and does not change the required posting of notice on a bulletin board at a place convenient to the public in the city hall.

C.S.H.B. 2313 amends current law relating to certain notice requirements for municipalities and counties under the open meetings law.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 551.0415, Government Code, as follows:

Sec. 551.0415. New heading: GOVERNING BODY OF MUNICIPALITY OR COUNTY: REPORTS ABOUT ITEMS OF COMMUNITY INTEREST REGARDING WHICH NO ACTION WILL BE TAKEN. (a) Authorizes a quorum of the governing body of a municipality or county, notwithstanding Sections 551.041 (Notice of Meeting Required) and 551.042 (Inquiry Made at Meeting), to receive from staff of the political subdivision, rather than from municipal staff, and 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 this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) Redefines "items of community interest" for purposes of Subsection (a).

SECTION 2. Amends Section 551.050, Government Code, as follows:

Sec. 551.050. MUNICIPAL GOVERNMENTAL BODY: PLACE OF POSTING NOTICE. (a) Defines "electronic bulletin board" in this section.

(b) Creates this subsection from existing text. Requires a municipal governmental body to post notice of each meeting on a physical or electronic bulletin board at a place convenient to the public in the city hall.

SECTION 3. Effective date: upon passage or September 1, 2011.