

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 17, 2011

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Open Government, Select

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

IN RE: HB2460 by Truitt (Relating to confidentiality of information held by a public retirement system.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code by adding Section 552.0038 to make public retirement systems, including state agencies such as the Employees Retirement System, Teacher Retirement System of Texas, and the Fire Fighters' Pension Commissioner, subject to the Open Records Act in the same way as other governmental bodies. The bill provides detail on the confidential nature of records for individual members, annuitants and beneficiaries. The bill would authorize a retirement system to require a person to provide a social security number if needed for administrative purposes, and would give sole discretion to a retirement system in determining whether a record is subject to release under the Open Records Act.

The bill would take effect on September 1, 2011, or immediately with a two-thirds vote of the Legislature.

The impact of the bill is not anticipated to be significant because the agencies could absorb the costs of implementing its provisions, if any, within existing resources.

Local Government Impact

The impact on local public retirement systems is not anticipated to be significant.

The Texas Municipal Retirement System (TMRS) reported that the costs of complying with these requirements would depend on how many public information requests would be received; however, TMRS does not anticipate that these costs would be significant.

The Texas County & District Retirement System (TCDRS) does not anticipate a fiscal impact associated with the bill.

The City of Houston does not anticipate a fiscal impact associated with the bill.

Source Agencies: 325 Fire Fighters' Pension Commissioner, 338 Pension Review Board, 323 Teacher Retirement System, 327 Employees Retirement System

LBB Staff: JOB, JT, JJO, AG, JI, KKR, DEH, JW