

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 13, 2011

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

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

IN RE: SB677 by Gallegos (relating to the enforcement of the public information law; providing for the imposition of a civil penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code to add a provision allowing a civil penalty to be brought against a governmental body that violates the Public Information Act. The penalty would not exceed \$500 for each violation, and each day the violation continues the entity would be subject to an additional penalty not to exceed \$100 per day. The bill would require a civil penalty collected under the bill's provisions to be deposited to the credit of the general revenue fund.

The Office of the Attorney General reports that any legal work resulting from the passage of the bill could be reasonably absorbed within current resources.

The bill would take effect September 1, 2011.

Local Government Impact

The bill would subject a local government that violates Chapter 552, Government Code to a civil penalty not to exceed \$500 per violation, and each day the violation continues the entity would be subject to an additional penalty not to exceed \$100 per day. The fiscal impact would be limited to local governments that violate the chapter and cannot be determined as total fines would vary based on the number of violations.

Source Agencies: 302 Office of the Attorney General, 405 Department of Public Safety, 529 Health and Human Services Commission

LBB Staff: JOB, KKR, JT, JI, KY