

SENATE AMENDMENTS

2nd Printing

By: Coleman

H.B. No. 2313

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain notice requirements for municipalities and
3 counties under the open meetings law.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 551.0415, Government Code, is amended to
6 read as follows:

7 Sec. 551.0415. GOVERNING BODY OF MUNICIPALITY OR
8 COUNTY: REPORTS ABOUT ITEMS OF COMMUNITY INTEREST REGARDING WHICH
9 NO ACTION WILL BE TAKEN. (a) Notwithstanding Sections 551.041 and
10 551.042, a quorum of the governing body of a municipality or county
11 may receive from [~~municipal~~] staff of the political subdivision and
12 a member of the governing body may make a report about items of
13 community interest during a meeting of the governing body without
14 having given notice of the subject of the report as required by this
15 subchapter if no action is taken and, except as provided by Section
16 551.042, possible action is not discussed regarding the information
17 provided in the report.

18 (b) For purposes of Subsection (a), "items of community
19 interest" includes:

20 (1) expressions of thanks, congratulations, or
21 condolence;

22 (2) information regarding holiday schedules;

23 (3) an honorary or salutary recognition of a public
24 official, public employee, or other citizen, except that a

1 discussion regarding a change in the status of a person's public
2 office or public employment is not an honorary or salutary
3 recognition for purposes of this subdivision;

4 (4) a reminder about an upcoming event organized or
5 sponsored by the governing body;

6 (5) information regarding a social, ceremonial, or
7 community event organized or sponsored by an entity other than the
8 governing body that was attended or is scheduled to be attended by a
9 member of the governing body or an official or employee of the
10 political subdivision [~~municipality~~]; and

11 (6) announcements involving an imminent threat to the
12 public health and safety of people in the political subdivision
13 [~~municipality~~] that has arisen after the posting of the agenda.

14 SECTION 2. Section 551.050, Government Code, is amended to
15 read as follows:

16 Sec. 551.050. MUNICIPAL GOVERNMENTAL BODY: PLACE OF
17 POSTING NOTICE. (a) A municipal governmental body:

18 (1) shall post notice of each meeting on a bulletin
19 board at a place convenient to the public in the city hall; and

20 (2) may post notice of each meeting on the
21 municipality's official Internet website.

22 (b) A municipal governmental body posting notice on the
23 Internet under Subsection (a) shall provide during regular office
24 hours a computer terminal at certain municipal facilities
25 convenient to the public that members of the public may use to view
26 notices of meetings posted by the municipality.

27 SECTION 3. This Act takes effect immediately if it receives

H.B. No. 2313

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2011.

ADOPTED

MAY 24 2011

Henry Drew
Secretary of the Senate

By: Wentworth

H.B. No. 2313

Substitute the following for H.B. No. 2313:

By: GP Kelly

C.S. H.B. No. 2313

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12 a member of the governing body may make a report about items of
13 community interest during a meeting of the governing body without
14 having given notice of the subject of the report as required by this
15 subchapter if no action is taken and, except as provided by Section
16 551.042, possible action is not discussed regarding the information
17 provided in the report.

18 (b) For purposes of Subsection (a), "items of community
19 interest" includes:

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21 condolence;

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24 official, public employee, or other citizen, except that a

1 discussion regarding a change in the status of a person's public
2 office or public employment is not an honorary or salutary
3 recognition for purposes of this subdivision;

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5 sponsored by the governing body;

6 (5) information regarding a social, ceremonial, or
7 community event organized or sponsored by an entity other than the
8 governing body that was attended or is scheduled to be attended by a
9 member of the governing body or an official or employee of the
10 political subdivision [~~municipality~~]; and

11 (6) announcements involving an imminent threat to the
12 public health and safety of people in the political subdivision
13 [~~municipality~~] that has arisen after the posting of the agenda.

14 SECTION 2. Section 551.050, Government Code, is amended to
15 read as follows:

16 Sec. 551.050. MUNICIPAL GOVERNMENTAL BODY: PLACE OF POSTING
17 NOTICE. (a) In this section, "electronic bulletin board" means an
18 electronic communication system that includes a perpetually
19 illuminated screen on which the governmental body can post messages
20 or notices viewable without manipulation by the public.

21 (b) A municipal governmental body shall post notice of each
22 meeting on a physical or electronic bulletin board at a place
23 convenient to the public in the city hall.

24 SECTION 3. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

1 Act takes effect September 1, 2011.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 24, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB2313 by Coleman (Relating to certain notice requirements for municipalities and counties under the open meetings law.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, SD, JT, KKR, TP

**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: HB2313 by Coleman (relating to certain notice requirements for municipalities and counties under the open meetings law.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, JT, KKR, TP

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 10, 2011

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

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

IN RE: HB2313 by Coleman (Relating to certain notice requirements for municipalities and counties under the open meetings law.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, JT, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 14, 2011

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

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

IN RE: HB2313 by Coleman (Relating to certain notice requirements for municipalities and counties under the open meetings law.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KKR, TP

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

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

IN RE: HB2313 by Coleman (Relating to the requirement to post notice of the subject of a meeting under the open meetings law as the requirement relates to reports about items of community interest at a meeting of a commissioners court.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KKR, TP