

SENATE AMENDMENTS

2nd Printing

By: Coleman

H.B. No. 2947

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exception of an audit working paper of a hospital
3 district from required disclosure under the public information law.

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

5 SECTION 1. Section 552.116(a), Government Code, is amended
6 to read as follows:

7 (a) An audit working paper of an audit of the state auditor
8 or the auditor of a state agency, an institution of higher education
9 as defined by Section 61.003, Education Code, a county, a
10 municipality, a school district, a hospital district, or a joint
11 board operating under Section 22.074, Transportation Code,
12 including any audit relating to the criminal history background
13 check of a public school employee, is excepted from the
14 requirements of Section 552.021. If information in an audit
15 working paper is also maintained in another record, that other
16 record is not excepted from the requirements of Section 552.021 by
17 this section.

18 SECTION 2. The change in law made by this Act applies to an
19 audit working paper created before, on, or after the effective date
20 of this Act.

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

H.B. No. 2947

1 Act takes effect September 1, 2011.

ADOPTED

MAY 25 2011

Atty. Gen.
Secretary of the Senate

By: *Tommy Brazier*

H.B. No. 2947

Substitute the following for H.B. No. 2947:

By: *[Signature]*

C.S. H.B. No. 2947

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10 municipality, a school district, a hospital district, or a joint
11 board operating under Section 22.074, Transportation Code,
12 including any audit relating to the criminal history background
13 check of a public school employee, is excepted from the
14 requirements of Section 552.021. If information in an audit
15 working paper is also maintained in another record, that other
16 record is not excepted from the requirements of Section 552.021 by
17 this section.

18 SECTION 2. Section 552.116(b)(1), Government Code, is
19 amended to read as follows:

20 (1) "Audit" means an audit authorized or required by a
21 statute of this state or the United States, the charter or an
22 ordinance of a municipality, an order of the commissioners court of
23 a county, the bylaws adopted by or other action of the governing
24 board of a hospital district, a resolution or other action of a

1 board of trustees of a school district, including an audit by the
2 district relating to the criminal history background check of a
3 public school employee, or a resolution or other action of a joint
4 board described by Subsection (a) and includes an investigation.

5 SECTION 3. The change in law made by this Act applies to an
6 audit working paper created before, on, or after the effective date
7 of this Act.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2011.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 26, 2011

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

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

IN RE: HB2947 by Coleman (Relating to the exception of an audit working paper of a hospital district from required disclosure under the public information law.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Government Code to exempt an audit working paper of a hospital district from being disclosed as public information under Section 552.116(a). Under current statute, certain audit working papers are exempted from being disclosed as public information.

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 19, 2011

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

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

IN RE: HB2947 by Coleman (relating to the exception of an audit working paper of a hospital district from required disclosure under the public information law.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

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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 17, 2011

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

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

IN RE: HB2947 by Coleman (Relating to the exception of an audit working paper of a hospital district from required disclosure under the public information law.), **As Engrossed**

No fiscal implication to the State is anticipated.

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Local Government Impact

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Source Agencies:

LBB Staff: JOB, JT, KKR, TP

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 8, 2011

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

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

IN RE: HB2947 by Coleman (Relating to the exception of an audit working paper of a hospital district from required disclosure under the public information law.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Government Code to exempt an audit working paper of a hospital district from being disclosed as public information under Section 552.116(a). Under current statute, certain audit working papers are exempted from being disclosed as public information.

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**

OPEN GOVERNMENT IMPACT STATEMENT

82ND LEGISLATIVE REGULAR SESSION

May 19, 2011

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

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

IN RE: HB2947 by Coleman (relating to the exception of an audit working paper of a hospital district from required disclosure under the public information law.), **Committee Report 2nd House, Substituted**

As a result of this bill there will be a restriction upon the open records law and the access to government information.

The bill would amend Section 552.116, Government Code, to exempt from public disclosure audit working papers for hospital districts. Although audit working papers from other entities such as state agencies, counties, and municipalities are presently exempted, current statute does not exempt those from hospital districts.

Source Agencies:

LBB Staff: JOB, JT

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

OPEN GOVERNMENT IMPACT STATEMENT

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: HB2947 by Coleman (Relating to the exception of an audit working paper of a hospital district from required disclosure under the public information law.), **As Engrossed**

As a result of this bill there will be a restriction upon the open records law and the access to government information.

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