

AN ACT

relating to the right of a member of the board of trustees of a school district to obtain information, documents, and records.

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

SECTION 1. Section 11.1512, Education Code, is amended by adding Subsections (c), (d), (e), and (f) to read as follows:

(c) A member of the board of trustees of the district, when acting in the member's official capacity, has an inherent right of access to information, documents, and records maintained by the district, and the district shall provide the information, documents, and records to the member without requiring the member to submit a public information request under Chapter 552, Government Code. The district shall provide the information, documents, and records to the member without regard to whether the requested items are the subject of or relate to an item listed on an agenda for an upcoming meeting. The district may withhold or redact information, a document, or a record requested by a member of the board to the extent that the item is excepted from disclosure or is confidential under Chapter 552, Government Code, or other law. This subsection does not require the district to provide information, documents, and records that are not subject to disclosure under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

(d) A school district shall post, in a place convenient to

1 the public, the cost of responding to one or more requests submitted
2 by a member of the board of trustees of the district under
3 Subsection (c) if the requests are for 200 or more pages of material
4 in a 90-day period.

5 (e) The district shall report annually to the Texas
6 Education Agency not later than September 1 of each year:

7 (1) the number of requests submitted by a member of the
8 board of trustees of the district under Subsection (c) during the
9 preceding school year; and

10 (2) the total cost to the district for that school year
11 of responding to requests under Subsection (c).

12 (f) In this section, "official capacity" means all duties of
13 office and includes administrative decisions or actions.

14 SECTION 2. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 628 was passed by the House on May 9, 2013, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 628 was passed by the Senate on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor