

By: Capriglione

H.B. No. 2871

A BILL TO BE ENTITLED

AN ACT

relating to nondisclosure provisions in regional planning
commission contracts.

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

SECTION 1. Chapter 391, Local Government Code, is amended
by adding Section 391.0085 to read as follows:

Sec. 391.0085. REVIEW OF NONDISCLOSURE PROVISIONS IN
CONTRACTS. (a) Before entering into a contract that contains a
nondisclosure provision with a political subdivision of the state,
a commission shall submit the proposed contract to the attorney
general for review.

(b) The attorney general shall determine whether the
nondisclosure provision prohibits the disclosure of public
information that is not protected from disclosure under Chapter
552, Government Code, and shall provide the commission with a
written opinion regarding that determination not later than the
60th day after the date the attorney general received the contract
for review.

(c) The commission may not include a nondisclosure
provision in a contract if the attorney general determines the
provision prohibits the disclosure of public information or if one
of the parties to the contract is a member of the governing body of
the commission.

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