

By: Ellis

S.B. No. 983

A BILL TO BE ENTITLED

AN ACT

1
2 relating to in camera review and filing of the information at issue
3 in a suit filed under the public information law.

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

5 SECTION 1. Subchapter H, Chapter 552, Government Code, is
6 amended by adding Section 552.3221 to read as follows:

7 Sec. 552.3221. IN CAMERA INSPECTION OF INFORMATION.

8 (a) In any suit filed under this chapter, the information at issue
9 may be filed with the court for in camera inspection as is necessary
10 for the adjudication of the case.

11 (b) Upon receipt of the information at issue for in camera
12 inspection, the court shall enter an order that prevents release to
13 or access by any person other than the court, a reviewing court of
14 appeals, or parties permitted to inspect the information pursuant
15 to a protective order. The order shall further note the filing date
16 and time.

17 (c) The information at issue filed with the court for in
18 camera inspection shall be:

19 (1) appended to the order and transmitted by the court
20 to the clerk for filing as "information at issue";

21 (2) maintained in a sealed envelope or in a manner that
22 precludes disclosure of the information; and

23 (3) transmitted by the clerk to any court of appeal as
24 part of the clerk's record.

1 (d) Information filed with the court under this section does
2 not constitute "court records" within the meaning of Rule 76a,
3 Texas Rules of Civil Procedure, and shall not be made available by
4 the clerk or any custodian of record for public inspection.

5 (e) For purposes of this section, "information at issue" is
6 defined as information held by a governmental body that forms the
7 basis of a suit under this chapter.

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