

By: Ellis
(Harper-Brown)

S.B. No. 983

A BILL TO BE ENTITLED

AN ACT

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

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

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

Sec. 552.3221. IN CAMERA INSPECTION OF INFORMATION.

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

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

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

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

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

(3) transmitted by the clerk to any court of appeal as
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.