

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 7, 2013

TO: Honorable Rodney Ellis, Chair, Senate Committee on Open Government

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1563 by Ellis (Relating to the definition of and access to public information.), As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code, Chapter 552, to add emails, text messages and other electronic communications as document types subject to open records. This requirement applies to any device procured by the related government entity or any device used by a government official or employee in fulfilling his or her official duties. The bill also defines contracts, select local government records, and select state records as public information. The bill would define as public information certain records relating to contract performance, including records from a contractor.

The bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, it takes effect September 1, 2013.

Multiple agencies including the Office of the Attorney General, the Comptroller of Public Accounts, the Health and Human Services Commission, the Texas Education Agency, the Office of Court Administration, the Texas Commission on Environmental Quality, the Texas Department of Transportation and the Texas Workforce Commission anticipate any additional work resulting from the passage of the bill could be reasonably absorbed within current resources. The University of Texas System estimates that there would be a cost associated with implementing provisions of the bill. It is anticipated that the costs could be absorbed within current agency resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 320 Texas Workforce Commission, 529 Health and Human Services Commission, 582 Commission on Environmental Quality, 601 Department of Transportation, 701 Central Education Agency, 720 The University of

Texas System Administration

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