

Amend HB 2328 (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 552.104, Government Code, is amended to read as follows:

Sec. 552.104. EXCEPTION: INFORMATION RELATED TO COMPETITION OR BIDDING. (a) Except as provided by Subsection (c), information [Information] is excepted from the requirements of Section 552.021 if a governmental body demonstrates that release of the [it is] information [that, if released,] would harm its interests by providing an [give] advantage to a competitor or bidder in a particular competitive situation.

(b) Except as provided by Subsection (c), the [The] requirement of Section 552.022 that a category of information listed under Section 552.022(a) is public information and not excepted from required disclosure under this chapter unless expressly confidential under law does not apply to information that is excepted from required disclosure under this section.

(c) The exception to disclosure provided by Subsection (a) does not apply to:

(1) a bid or proposal, or information contained in a bid or proposal, after the governmental body executes or awards the contract to which the bid or proposal relates; or

(2) an account, voucher, or contract, or information contained in or describing an account, voucher, or contract.

(d) Section 552.305 does not apply to the exception under this section.

(e) Subsection (c) does not apply to programs established under Section 67(b), Article XVI, Texas Constitution.

SECTION _____. Section 552.305(a), Government Code, is amended to read as follows:

(a) In a case in which information is requested under this chapter and a person's privacy or property interests may be involved, including a case under Section 552.101, ~~552.104,~~ 552.110, or 552.114, a governmental body may decline to release the information for the purpose of requesting an attorney general decision.