

Amend HB 2328 (senate committee printing) as follows:

(1) In SECTION 3 of the bill, in amended Section 552.302, Government Code (page 1, line 38), between the period and "If", insert "(a)".

(2) In SECTION 3 of the bill, in amended Section 552.302, Government Code (page 1, between lines 45 and 46), insert the following:

(b) Sections 552.103, 552.104, 552.105, 552.106, 552.108, 552.111, 552.112, 552.116, 552.122, 552.125, 552.144, 552.146, 552.153, and 552.154 do not constitute compelling reasons to withhold information under Subsection (a) for a governmental body that fails to comply with the requirements of Section 552.301.

(3) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 552.101, Government Code, is amended to read as follows:

Sec. 552.101. EXCEPTION: CONFIDENTIAL INFORMATION. (a) Information is excepted from the requirements of Section 552.021 if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision.

(b) The exception to disclosure provided by Subsection (a) does not apply to information considered to be:

(1) privileged under an evidentiary privilege created by the Texas Rules of Civil Procedure, the Texas Rules of Evidence, the Texas Disciplinary Rules of Professional Conduct, the Federal Rules of Evidence, or the Federal Rules of Civil Procedure, including the attorney-client privilege, the attorney work product privilege, or any other state or federal discovery privilege; or

(2) excepted from required disclosure under another provision of this chapter.

SECTION _____. Section 552.305, Government Code, is amended by adding Subsection (f) to read as follows:

(f) A governmental body's failure to comply with the requirements of Section 552.301 does not affect another person's privacy or property interests or the person's ability under this section to submit a letter, memorandum, or brief in support of each reason why the information should be withheld.

(4) Renumber the SECTIONS of the bill accordingly.