

Amend **CSSB 408** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 552.002, Government Code, is amended by adding Subsection (d) to read as follows:

(d) Information maintained by a governmental body described by Section 552.003(1)(A)(xii) is public information and subject to this chapter only to the extent the information relates to the part, section, or portion of an entity that receives or spends public funds or uses real or personal property owned or leased by the state or a political subdivision of the state as established in Section 552.003(1)(A)(xii)(a), (b), or (c).

SECTION 2. Section 552.003(1), Government Code, is amended to read as follows:

(1) "Governmental body":

(A) means:

(i) a board, commission, department, committee, institution, agency, or office that is within or is created by the executive or legislative branch of state government and that is directed by one or more elected or appointed members;

(ii) a county commissioners court in the state;

(iii) a municipal governing body in the state;

(iv) a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a county or municipality;

(v) a school district board of trustees;

(vi) a county board of school trustees;

(vii) a county board of education;

(viii) the governing board of a special district;

(ix) the governing body of a nonprofit corporation organized under Chapter 67, Water Code, that provides a water supply or wastewater service, or both, and is exempt from ad valorem taxation under Section 11.30, Tax Code;

(x) a local workforce development board

created under Section 2308.253;

(xi) a nonprofit corporation that is eligible to receive funds under the federal community services block grant program and that is authorized by this state to serve a geographic area of the state; and

(xii) the part, section, or portion of an organization, corporation, commission, committee, institution, or agency that:

(a) receives or spends public funds, if the receipt or expenditure does not impose a specific and definite obligation on the entity to provide a measurable amount of goods, services, benefits, or insurance in exchange for the public funds as would be expected in an arms-length transaction or quid pro quo agreement for goods, services, benefits, or insurance between a vendor and purchaser;

(b) receives or spends ~~[or that is supported in whole or in part by]~~ public funds under an agreement to provide a traditional governmental service, which does not include a utility service, that the state or the political subdivision providing the funds will not provide under the agreement; or

(c) uses real or personal property owned or leased by the state or a political subdivision of the state that is not generally available to the public under an agreement that provides for no or nominal consideration in return for the use;  
and

(B) does not include the judiciary.

SECTION 3. The change in law made by this Act applies only to a request for public information received on or after the effective date of this Act. A request for public information received before the effective date of this Act is governed by the law in effect when the request was received, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2017.