

## BILL ANALYSIS

C.S.H.B. 1784  
By: Faircloth  
Government Transparency & Operation  
Committee Report (Substituted)

### BACKGROUND AND PURPOSE

Interested parties contend that clarity relating to the limitations period for bringing certain enforcement, injunctive, or mandamus actions under state open meetings law is needed. C.S.H.B. 1784 seeks to provide for the period during which an action alleging a violation of the open meetings law may be brought.

### CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### ANALYSIS

C.S.H.B. 1784 amends the Government Code to require a person to bring certain enforcement, injunctive, or mandamus actions relating to an alleged violation or threatened violation of state open meetings law before the second anniversary of the date the alleged violation occurred or the second anniversary of the date the alleged violation should reasonably have been discovered.

### EFFECTIVE DATE

September 1, 2017.

### COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1784 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Subchapter G, Chapter 551, Government Code, is amended by adding Section 551.1425 to read as follows:

Sec. 551.1425. LIMITATIONS PERIOD.  
A person must bring a suit on an action to enforce Section 551.141 or an action under Section 551.142 before the first anniversary

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter G, Chapter 551, Government Code, is amended by adding Section 551.1425 to read as follows:

Sec. 551.1425. LIMITATIONS PERIOD.  
A person must bring a suit on an action to enforce Section 551.141 or an action under Section 551.142 before the second

of the date of the alleged violation.

anniversary of the date the alleged violation occurred or the second anniversary of the date the alleged violation should reasonably have been discovered.

SECTION 2. Section 551.1425, Government Code, as added by this Act, applies only to a violation that occurs on or after the effective date of this Act. A violation that occurs before the effective date of this Act is governed by the law in effect on the date the violation occurred, and the former law is continued in effect for that purpose.

SECTION 2. Same as introduced version.

SECTION 3. This Act takes effect September 1, 2017.

SECTION 3. Same as introduced version.