

By: Ortega

H.B. No. 3053

A BILL TO BE ENTITLED

AN ACT

relating to the availability of certain dates of birth under the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.022(a), Government Code, is amended to read as follows:

(a) Without limiting the amount or kind of information that is public information under this chapter, the following categories of information are public information and not excepted from required disclosure unless made confidential under this chapter or other law:

(1) a completed report, audit, evaluation, or investigation made of, for, or by a governmental body, except as provided by Section 552.108;

(2) the name, sex, ethnicity, salary, title, and dates of employment of each employee and officer of a governmental body;

(3) information in an account, voucher, or contract relating to the receipt or expenditure of public or other funds by a governmental body;

(4) the name of each official and the final record of voting on all proceedings in a governmental body;

(5) all working papers, research material, and information used to estimate the need for or expenditure of public funds or taxes by a governmental body, on completion of the

1 estimate;

2 (6) the name, place of business, and the name of the
3 municipality to which local sales and use taxes are credited, if
4 any, for the named person, of a person reporting or paying sales and
5 use taxes under Chapter 151, Tax Code;

6 (7) a description of an agency's central and field
7 organizations, including:

8 (A) the established places at which the public
9 may obtain information, submit information or requests, or obtain
10 decisions;

11 (B) the employees from whom the public may obtain
12 information, submit information or requests, or obtain decisions;

13 (C) in the case of a uniformed service, the
14 members from whom the public may obtain information, submit
15 information or requests, or obtain decisions; and

16 (D) the methods by which the public may obtain
17 information, submit information or requests, or obtain decisions;

18 (8) a statement of the general course and method by
19 which an agency's functions are channeled and determined, including
20 the nature and requirements of all formal and informal policies and
21 procedures;

22 (9) a rule of procedure, a description of forms
23 available or the places at which forms may be obtained, and
24 instructions relating to the scope and content of all papers,
25 reports, or examinations;

26 (10) a substantive rule of general applicability
27 adopted or issued by an agency as authorized by law, and a statement

1 of general policy or interpretation of general applicability
2 formulated and adopted by an agency;

3 (11) each amendment, revision, or repeal of
4 information described by Subdivisions (7)-(10);

5 (12) final opinions, including concurring and
6 dissenting opinions, and orders issued in the adjudication of
7 cases;

8 (13) a policy statement or interpretation that has
9 been adopted or issued by an agency;

10 (14) administrative staff manuals and instructions to
11 staff that affect a member of the public;

12 (15) information regarded as open to the public under
13 an agency's policies;

14 (16) information that is in a bill for attorney's fees
15 and that is not privileged under the attorney-client privilege;

16 (17) information that is also contained in a public
17 court record; ~~and~~

18 (18) a settlement agreement to which a governmental
19 body is a party; and

20 (19) the date of birth of a person who is or has been
21 confined in a city or county jail or in a correctional facility
22 operated by or under contract with the Texas Department of Criminal
23 Justice contained in a record of a law enforcement agency or
24 criminal justice agency.

25 SECTION 2. The changes in law made by this Act apply only to
26 a request for information that is received by a governmental body or
27 an officer for public information on or after the effective date of

1 this Act. A request for information that was received before the
2 effective date of this Act is governed by the law in effect on the
3 date the request was received, and the former law is continued in
4 effect for that purpose.

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