

By: Burton

S.B. No. 623

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a public information Internet website.

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

SECTION 1. Subtitle A, Title 5, Government Code, is amended by adding Chapter 561 to read as follows:

CHAPTER 561. PUBLIC INFORMATION INTERNET WEBSITE

Sec. 561.001. DEFINITIONS. In this chapter:

(1) "Governmental entity" means:

(A) a state agency in the executive, legislative, or judicial branch of state government, including an institution of higher education, as defined by Section 61.003, Education Code; or

(B) a political subdivision of this state.

(2) "Public information" means a public or legal notice that a governmental entity is required to publish under a statute or rule and any other information that a governmental entity submits for publication on the public information Internet website.

(3) "Public information Internet website" means the official state Internet website developed and maintained by the comptroller under this chapter.

Sec. 561.002. PUBLIC INFORMATION INTERNET WEBSITE. (a) The comptroller shall develop and maintain an Internet website of public information, including archived public information.

1 (b) The public information Internet website must be
2 designed to:

3 (1) allow a governmental entity to easily post public
4 information or the comptroller to post public information on
5 receipt of the information from the entity;

6 (2) allow the public to search and sort the public
7 information on the Internet website by:

8 (A) a specific municipality or county;

9 (B) a governmental entity name;

10 (C) the type of governmental entity;

11 (D) the date the public information is submitted;

12 (E) the date an event or deadline stated in the
13 public information occurred; and

14 (F) any additional criteria approved by the
15 comptroller;

16 (3) allow the public to search and view archived
17 public information posted on the Internet website;

18 (4) allow a person to subscribe to e-mail notices of
19 public information associated with a specific governmental entity;

20 (5) be easily accessible by the public 24 hours a day,
21 7 days a week, through the Texas.gov Internet website that includes
22 a direct link to the public information Internet website;

23 (6) have a unique and easy to remember Internet
24 website address; and

25 (7) have adequate systems for protection, backup, and
26 contingency planning to address power outages, systematic
27 failures, and electronic security.

1 (c) The comptroller shall develop a process for a
2 governmental entity to access the public information Internet
3 website to post public information or modify information previously
4 posted by the entity or to submit the information or modified
5 information to the comptroller for posting on the Internet website.

6 Sec. 561.003. REQUIRED SUBMISSION OF PUBLIC INFORMATION.
7 Each governmental entity:

8 (1) shall submit for inclusion on the public
9 information Internet website any public or legal notice the entity
10 is required to publish under statute or rule; and

11 (2) may submit any other public information the entity
12 elects to submit.

13 Sec. 561.004. PUBLIC INFORMATION INTERNET WEBSITE DOES NOT
14 SATISFY PUBLICATION REQUIREMENT. A governmental entity's
15 submission of public information to the public information Internet
16 website does not satisfy a publication requirement under other law.
17 Submission of public information to the Internet website shall be
18 made in addition to any other publication requirement.

19 Sec. 561.005. IMMUNITY FROM LIABILITY OR PENALTY. A
20 governmental entity that in good faith attempts to submit public
21 information to the public information Internet website and that
22 satisfies the publication requirements for that information under
23 other law is not subject to liability or other penalty for a failure
24 in posting the public information to the public information
25 Internet website or in delivery of an e-mail notice of the posted
26 public information.

27 SECTION 2. As soon as practicable after the effective date

1 of this Act, but not later than September 1, 2018:

2 (1) the comptroller of public accounts shall develop
3 the public information Internet website as required by Chapter 561,
4 Government Code, as added by this Act; and

5 (2) each governmental entity in this state shall begin
6 submitting public information to the public information Internet
7 website in the format and manner required by the comptroller and
8 Chapter 561, Government Code, as added by this Act.

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