

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 21, 2017

TO: Honorable Gary Elkins, Chair, House Committee on Government Transparency & Operation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB792 by Capriglione (Relating to the exception from disclosure under the public information law for information related to competition or bidding.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Chapter 552 of the Government Code regarding public information to require a governmental body to demonstrate that release of information would harm its interests by providing an advantage to a competitor or bidder in a particular competitive situation, rather than giving an advantage to a competitor or bidder, before excepting the information from the requirements of the public information law.

The bill would make the exception inapplicable to: a bid or proposal, or information contained in a bid or proposal, after the governmental body executes or awards the contract to which the bid or proposal relates; or an account, voucher, or contract, or information contained in or describing an account, voucher, or contract.

The bill would remove the authorization for a governmental body to decline to release information for the purpose of requesting an attorney general decision in a case where information related to competition or bidding is requested and a person's privacy or property interests may be involved.

The bill would take effect on September 1, 2017.

The Office of the Attorney General anticipates that any legal work or technology fiscal implication resulting from the passage of the bill could be reasonably absorbed within current agency resources.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time.

Source Agencies: 302 Office of the Attorney General

LBB Staff: UP, LBO, JPU, DRE, CL