

BILL ANALYSIS

Senate Research Center

H.B. 81
By: Canales et al. (Hinojosa)
Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been noted that there is a loophole in state public information law that allows some governmental entities to shield from the public certain information relating to public events paid for with public funds. H.B. 81 seeks to address this issue by making such information accessible to the public.

H.B. 81 amends current law relating to the disclosure under the public information law of certain information related to parades, concerts, or other entertainment events open to the general public that are paid for with public funds.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 552.104, Government Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Creates an exception under Subsection (c), to the requirement of Section 552.022 (Categories of Public Information; Examples) that a category of information listed under Section 552.022(a) (relating to a provision that certain categories of information are public information and not excepted from required disclosure unless made confidential), is public information and not excepted from required disclosure under this chapter unless expressly confidential under law does not apply to information that is excepted from required disclosure under this section.

(c) Provides that Subsection (b) does not apply to information described by Section 552.022(a) relating to the receipt or expenditure of public or other funds by a governmental body for a parade, concert, or other entertainment event paid for in whole or part with public funds. Prohibits a person, including a governmental body, from including a provision in a contract related to an event described by this subsection that prohibits or would otherwise prevent the disclosure of information described by this subsection. Provides that a contract provision that violates this subsection is void.

SECTION 2. Provides that the change in law made by this Act applies only to:

(1) a request for information that is received by a governmental body or an officer for public information on or after the effective date of this Act; and

(2) a contract entered into or renewed on or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2019.