

## **BILL ANALYSIS**

C.S.H.B. 3345  
By: Wu  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Audits conducted by governmental entities, especially internal audits conducted by some law enforcement agencies, have lacked transparency and public accessibility. The process for public requests of this information can be convoluted and sometimes expensive. Both the entities and the audits are funded with tax dollars and, accordingly, the information associated with an audit should be readily accessible to the citizens a governmental entity serves. C.S.H.B. 3345 seeks to enhance transparency and accountability by making these audits more accessible to the public.

### **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. 3345 amends the Government Code to require an applicable governmental entity to make available to the public on request the records relating to any audit of the entity, including any final report but excluding audit working papers. That requirement applies to an audit performed before, on, or after the bill's effective date.

C.S.H.B. 3345 requires the entity to post on its website or, if the entity does not have its own website, on another publicly accessible website the final report for an audit not later than the 30th day after the date the audit is completed. The entity may redact any confidential information from the report as necessary to comply with state or federal law. The bill makes an entity that fails, without good cause, to comply with the bill's provisions liable to a person for any reasonable expenses the person incurs trying to access the audit records, including reasonable attorney's fees.

For purposes of its provisions, C.S.H.B. 3345 clarifies the types of audits to which the bill's provisions apply and classifies the following as governmental entities:

- a board, commission, department, committee, institution, agency, or office that is within or is created by the executive or legislative branch of state government and that is directed by one or more elected or appointed members;
- a county commissioners court;
- a municipal governing body; and
- a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a county or municipality.

**EFFECTIVE DATE**

September 1, 2021.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3345 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute expands the original's definition of "audit" to include certain internal or independent external audits.

The substitute changes the deadline for a governmental entity to post the final report of an audit online from the fifth business day after the date the audit is completed, as the original required, to the 30th day after that date.

The substitute includes a provision that did not appear in the original that clarifies that the term "records" in the bill does not include audit working papers.