87R9187 MWC-D

By:  Turner of Tarrant H.B. No. 2817

A BILL TO BE ENTITLED

AN ACT

relating to the requirement that attorneys employed by or contracting with the attorney general document and maintain records of hours spent on state legal actions.

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

SECTION 1.  Subchapter B, Chapter 402, Government Code, is amended by adding Section 402.022 to read as follows:

Sec. 402.022.  TIME RECORDS REQUIRED. (a) This section applies to an attorney employed by or under contract with the attorney general to provide legal services for a legal action or proceeding.

(b)  An attorney subject to this section shall:

(1)  document the number of hours the attorney provides services for an action or proceeding; and

(2)  maintain a record of the hours documented under Subdivision (1).

(c)  The attorney shall permit the attorney general and the state auditor on request to inspect or obtain copies of the record maintained by the attorney under Subsection (b)(2).

(d)  On conclusion of a legal action for which an attorney provides legal services, the attorney shall submit to the attorney general a written statement of the total number of hours the attorney spent providing services for the action and a copy of the record required under Subsection (b)(2). The statement required by this subsection is public information under Chapter 552 and may not be withheld from a requestor under Section 552.103 or any other exception from required disclosure provided under that chapter.

(e)  Except as otherwise provided by this subsection, all records maintained under Subsection (b)(2) are public information subject to required public disclosure under Chapter 552. Information in the records may be withheld from a member of the public under Section 552.103 only if, in addition to meeting the requirements of that section, the attorney general or an employee of the attorney general determines that withholding the information is necessary to protect the attorney general's strategy or position in pending or reasonably anticipated litigation. Information withheld from public disclosure under this subsection must be segregated from information that is subject to required public disclosure.

SECTION 2.  Section 402.022, Government Code, as added by this Act, applies only to a legal action or proceeding initiated on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2021.