

By: Turner of Tarrant

H.B. No. 2817

A BILL TO BE ENTITLED

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

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

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

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

12 (b) An attorney subject to this section shall:

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

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

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

20 (d) On conclusion of a legal action for which an attorney
21 provides legal services, the attorney shall submit to the attorney
22 general a written statement of the total number of hours the
23 attorney spent providing services for the action and a copy of the
24 record required under Subsection (b)(2). The statement required by

1 this subsection is public information under Chapter 552 and may not
2 be withheld from a requestor under Section 552.103 or any other
3 exception from required disclosure provided under that chapter.

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

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

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