

By: Shaheen

H.B. No. 3073

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that state agencies make agency guidance documents accessible to the public.

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

SECTION 1. Subtitle B, Title 10, Government Code, is amended by adding Chapter 2062 to read as follows:

CHAPTER 2062. STATE AGENCY GUIDANCE DOCUMENTS

Sec. 2062.0001. DEFINITIONS. In this chapter:

(1) "Guidance document" means a statement of general applicability issued by a state agency that describes the agency's policy on a statutory, regulatory, or technical issue that relates to the agency's powers and duties or that interprets a statutory or regulatory issue that relates to the agency's powers and duties. The term does not include a rule adopted by a state agency.

(2) "State agency" means a board, commission, council, department, office, or other agency in the executive branch of state government.

Sec. 2062.0002. LIBERAL CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed to effectuate its purposes.

Sec. 2062.0003. ACCESS TO GUIDANCE DOCUMENTS. (a) Each state agency shall include on the agency's publicly accessible Internet website a prominently displayed link to the guidance documents issued by the agency.

(b) A state agency may not charge a person to access a

1 guidance document.

2 Sec. 2062.0004. APPLICABILITY OF PUBLIC INFORMATION LAW.

3 This chapter may not be construed to require disclosure of  
4 information that is excepted from disclosure or is confidential  
5 under Chapter 552.

6 SECTION 2. A state agency to which Chapter 2062, Government  
7 Code, as added by this Act, applies shall comply with the  
8 requirements of that chapter as soon as practicable after the  
9 effective date of this Act, but not later than March 1, 2022.

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