

PUBLIC COMMENTS

HB 3627

HOUSE COMMITTEE ON STATE AFFAIRS

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Hearing Date: April 8, 2021 8:00 AM

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Linda Pavlik

League of Women Voters of Texas

Fort Worth, TX

HB 3627 provides much needed clarity about how a public agency functions during a "catastrophe." The League of Women Voters of Texas strongly agrees that when staff is working remotely, the legally-defined time periods for required disclosure, etc. must stand. Transparency must be in place at all times.

Donnis Baggett

Texas Press Association

Bryan, TX

The Texas Press Association strongly supports HB 3627. During the pandemic a number of agencies and subdivisions of government have repeatedly invoked the catastrophe notice provision of the public information law to avoid responding to public information requests. This maneuver is a subversion of the intent of the law, which provides the catastrophe notice option for short-term emergencies such as storms, fires, power outages, etc. Governmental employees who are performing their jobs remotely via digital connectivity are generally able to access filed information that's necessary to fulfill a request from the public. HB 3627 mandates that they do so. The bill also limits extensions for a single catastrophe to 14 days.

MARY NICHOLS

Retired from City Government

Forney, Texas, TX

As a former public information officer and records management officer with experience in four municipalities, I oppose the language in the bill as too broad and subjective, allowing too much flexibility for unnecessary suspension. The phrase "significantly impacted" such that it causes the inability to comply does not require the exhaustive effort to comply that the public's right to information merits.

Kelley Shannon

Freedom of Information Foundation of Texas

Austin, TX

The Freedom of Information Foundation of Texas supports HB 3627 because it clarifies legislation passed in 2019 that allows governments to file a "catastrophe notice" if a disaster prevents the government from responding to the Texas Public Information Act for a short period of time. The original legislation intended for a government to be able to file one such catastrophe notice covering seven days, and possibly one seven-day extension if circumstances made it necessary. Some governments overused this provision of the law and filed multiple back-to-back catastrophe notices to avoid Public Information Act compliance. This bill tightens up the provision and makes it clear the duration is limited.

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