

## **BILL ANALYSIS**

C.S.H.B. 613  
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State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, governmental bodies can charge money for providing copies of public information to interested parties under state public information law. C.S.H.B. 613 seeks to lessen the financial burden these charges may present to citizens by prohibiting governmental bodies from charging a fee for providing copies of campaign finance reports unless the reports are available online and authorizing the attorney general to reduce or even cancel fees imposed under certain circumstances.

### **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. 613 amends the Government Code to prohibit an applicable governmental body from imposing a charge for providing a copy of public information requested under state public information law if the information is a campaign finance report filed by a candidate for office or by an officeholder, unless all such reports filed with the governmental body during the preceding three years are available to the public on the governmental body's website. The bill authorizes the attorney general to cancel or reduce any charge or portion of a charge imposed by a governmental body under state public information law if the attorney general determines that the governmental body has not maintained the requested information in accordance with standard recordkeeping practices or has failed to comply with state public information law with regard to the public information request for which the charge is imposed. The bill's provisions apply only to a public information request received on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 613 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The introduced prohibited a governmental body from imposing a charge for providing copies of public information requested under state public information law if the governmental body fails

to disclose such information on or before the 10th business day after receiving the request, unless the governmental body takes either of the following actions:

- sends a written request for clarification to the requestor; or
- requests an attorney general decision, timely provides a written withholding statement and copy of the request submitted to the attorney general for a decision to the requestor, and the attorney general does not determine that the requested information must be disclosed.

The substitute does not include these provisions. Instead, the substitute includes a provision absent from the introduced authorizing the attorney general to cancel or reduce any charge or portion of a charge imposed by a governmental body under state public information law under certain circumstances.