

BILL ANALYSIS

Senate Research Center
88R29621 TJB-D

C.S.H.B. 3440
By: Canales (Hinojosa)
Business & Commerce
5/19/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, governmental entities above a certain size that maintain a website must post their meeting agendas online. As more Texans obtain quality Internet access, they increasingly seek to interact with their local governments through the Internet. C.S.H.B. 3440 seeks to increase transparency and make it easier for Texans to stay informed about upcoming meetings and the topics that will be discussed.

C.S.H.B. 3440 amends current law relating to the posting and other requirements applicable to certain governmental bodies under the open meetings law.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 551.056, Government Code, by amending Subsection (b) and adding Subsection (b-1), as follows:

(b) Requires certain governmental bodies and economic development corporations, in addition to the other place at which notice or an agenda of a meeting is required to be posted by Subchapter C (Notice of Meetings), to also concurrently post notice of a meeting and the agenda for the meeting, along with any supplemental written materials provided to the members of the governmental body or economic development corporation in advance of the meeting for use during the meeting, on the Internet website of the governmental body or economic development corporation, including a district or authority created under Section 52 (Restrictions on Lending Credit or Making Grants by Political Corporations or Political Subdivisions; Authorized Bonds; Investment of Funds), Article III (Legislative Department), or Section 59 (Conservation and Development of Natural Resources; Development of Parks and Recreational Facilities; Conservation and Reclamation Districts; Indebtedness and Taxation Authorized), Article XVI (General Provisions), Texas Constitution. Makes nonsubstantive changes.

(b-1) Provides that a governmental body or economic development corporation is not required to post information under Subsection (b) that is confidential or that is authorized to be withheld from disclosure under Chapter 552 (Public Information).

SECTION 2. Repealer: Section 551.056(c) (relating to requiring certain governmental bodies and economic development corporations to also concurrently post the agenda for the meeting on the Internet website of the governmental body or economic development corporation), Government Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2023.