

BILL ANALYSIS

Senate Research Center

S.B. 569
By: Springer
State Affairs
5/23/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 569 amends current law relating to requests to a municipality for production or certification of a record in certain civil actions and authorizes a fee.

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 22.004, Civil Practice and Remedies Code, by amending Subsections (a) and (b) and adding Subsection (a-1), as follows:

(a) Creates an exception under Subsection (a-1).

(a-1) Provides that a municipality that receives a request for production or certification of a record under a subpoena, a request for production, or other instrument in relation to a matter to which the municipality is not a party and that is issued under the authority of a tribunal that compels production or certification of a record is entitled to impose a fee for production or certification of the record in the same amount and manner provided by Subchapter F (Charges for Providing Copies of Public Information), Chapter 552 (Public Information), Government Code, for a charge for providing a copy of public information, as if the production or certification of the record is the provision of a copy of public information under that chapter.

(b) Provides that a custodian of a record who produces or certifies a record under Subsection (a) (relating to providing that a custodian of a record who receives a request for the production or certification of a record or other instrument is entitled to \$1 for the production or certification of the record) or (a-1), but who is not required to appear in court, is not entitled to a witness fee under Section 22.001 (Witness Fees).

SECTION 2. Makes application of Section 22.004, Civil Practice and Remedies Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2023.