

BILL ANALYSIS

Senate Research Center
88R1358 TJB-F

S.B. 983
By: Paxton
Business & Commerce
4/6/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As technology expands across Texas, public providers express a need to expand the exemption currently provided in the public information act to include cable, Internet, or a broadband service as is pertains to holding executive sessions as the nature of these matters is highly competitive in regards to pricing, logistics etc. in facilitating these services. This bill allows the utility provider a means to discuss competitive matters privately to help ensure the best outcome in establishment of cable, Internet, and broadband services for the communities they serve.

As proposed, S.B. 983 amends current law relating to disclosure under the public information law of information related to a competitive matter involving the provision of cable, Internet, or broadband services by a public power utility.

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 Sections 552.133(a), (a-1), and (b-1), Government Code, as follows:

(a) Defines "broadband service" and makes a nonsubstantive change.

(a-1) Provides that "competitive matter," for the purposes of Section 552.133 (Exception: Confidentiality of Public Power Utility Competitive Matters), means a utility-related matter, including a cable, Internet, or broadband service matter, that is related to the public power utility's competitive activity, including commercial information, and would, if disclosed, give advantage to competitors or prospective competitors. Provides that the term:

(1) makes a nonsubstantive change to this subdivision;

(2) means certain matters reasonably related to information involving the provision of cable, Internet, or broadband services by a public power utility; and

(3) makes a nonsubstantive change to this subdivision.

(b-1) Makes a conforming change to this subsection.

SECTION 2. Makes application of Section 552.133, Government Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2023.