

SENATE AMENDMENTS

2nd Printing

By: Canales

H.B. No. 3440

A BILL TO BE ENTITLED

AN ACT

relating to the governmental bodies required to post on the Internet agendas for meetings under the open meetings law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 551.056(b), Government Code, is amended to read as follows:

(b) In addition to the other place at which notice or an agenda of a meeting is required to be posted by this subchapter, the following governmental bodies and economic development corporations must also concurrently post notice of a meeting and the agenda for the meeting on the Internet website of the governmental body or economic development corporation:

(1) a municipality;

(2) a county;

(3) a school district;

(4) the governing body of a junior college or junior college district, including a college or district that has changed its name in accordance with Chapter 130, Education Code;

(5) a development corporation organized under the Development Corporation Act (Subtitle C1, Title 12, Local Government Code);

(6) a regional mobility authority included within the meaning of an "authority" as defined by Section 370.003, Transportation Code; and

1 (7) a joint board created under Section 22.074,
2 Transportation Code.

3 SECTION 2. Section 551.056(c), Government Code, is
4 repealed.

5 SECTION 3. Section 551.056(b), Government Code, as amended
6 by this Act, applies only to an open meeting held on or after the
7 effective date of this Act.

8 SECTION 4. This Act takes effect September 1, 2023.

By: J. J. Huij **ADOPTED**
Substitute the following for H.B. No. 3440 H.B. No. 3440
By: Arvina Campbell MAY 22 2023
Secretary of the Senate C.S. H.B. No. 3440

A BILL TO BE ENTITLED

AN ACT

1 relating to posting and other requirements applicable to certain
2 governmental bodies under the open meetings law.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 551.056, Government Code, is amended by
5 amending Subsection (b) and adding Subsection (b-1) to read as
6 follows:
7

8 (b) In addition to the other place at which notice or an
9 agenda of a meeting is required to be posted by this subchapter, the
10 following governmental bodies and economic development
11 corporations must also concurrently post notice of a meeting and
12 the agenda for the meeting, along with any supplemental written
13 materials provided to the members of the governmental body or
14 economic development corporation in advance of the meeting for use
15 during the meeting, on the Internet website of the governmental
16 body or economic development corporation:

- 17 (1) a municipality;
- 18 (2) a county;
- 19 (3) a school district;
- 20 (4) the governing body of a junior college or junior
21 college district, including a college or district that has changed
22 its name in accordance with Chapter 130, Education Code;

23 (5) a development corporation organized under the
24 Development Corporation Act (Subtitle C1, Title 12, Local

Joint B-B

1 Government Code);

2 (6) a regional mobility authority included within the
3 meaning of an "authority" as defined by Section 370.003,
4 Transportation Code; ~~and~~

5 (7) a joint board created under Section 22.074,
6 Transportation Code; and

7 (8) a district or authority created under Section 52,
8 Article III, or Section 59, Article XVI, Texas Constitution.

9 (b-1) A governmental body or economic development
10 corporation is not required to post information under Subsection
11 (b) that is confidential or that may be withheld from disclosure
12 under Chapter 552.

13 SECTION 2. Section 551.056(c), Government Code, is
14 repealed.

15 SECTION 3. The changes in law made by this Act apply only to
16 an open meeting held on or after the effective date of this Act. An
17 open meeting held before the effective date of this Act is governed
18 by the law in effect on the date the meeting was held, and the former
19 law is continued in effect for that purpose.

20 SECTION 4. This Act takes effect September 1, 2023.

ADOPTED

MAY 22 2023

FLOOR AMENDMENT NO. 1

BY:

Latey Spaw
Secretary of the Senate

J-J. Hing

1 Amend C.S.H.B. No. 3440 (senate committee report) in SECTION
2 1 of the bill, as follows:

3 (1) In the recital (page 1, line 27), strike "Subsection
4 (b-1)" and substitute "Subsections (b-1) and (b-2)".

5 (2) In amended Section 551.056(b), Government Code (page 1,
6 lines 33 to 36), strike ", along with any supplemental written
7 materials provided to the members of the governmental body or
8 economic development corporation in advance of the meeting for use
9 during the meeting,".

10 (3) In amended Section 551.056, Government Code (page 1,
11 between lines 53 and 54) insert the following:

12 (b-1) In addition to the requirements of Subsection (b), a
13 governmental body or economic development corporation described by
14 that subsection shall also post on the governmental body's or
15 economic development corporation's Internet website any
16 supplemental written materials provided to the members of the
17 governmental body or economic development corporation in advance of
18 a meeting for use during the meeting. The governmental body or
19 economic development corporation must post the materials as soon as
20 practicable in advance of the meeting.

21 (4) In added Section 551.056(b-1), Government Code (page 1,
22 line 54), strike "(b-1)" and substitute "(b-2)".

23 (5) In added Section 551.056(b-1), Government Code (page 1,
24 line 56), between "(b)" and "that", insert "or (b-1)".

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 23, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3440 by Canales (Relating to posting and other requirements applicable to certain governmental bodies under the open meetings law.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board, 978 San Jacinto College

LBB Staff: JMc, SZ, DPE, SMAT, BC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 20, 2023

TO: Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB3440** by Canales (relating to posting and other requirements applicable to certain governmental bodies under the open meetings law.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board, 978 San Jacinto College

LBB Staff: JMc, SZ, DPE, SMAT, BC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 16, 2023

TO: Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3440 by Canales (Relating to the governmental bodies required to post on the Internet agendas for meetings under the open meetings law.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board, 978 San Jacinto College

LBB Staff: JMc, SZ, SMAT, BC, DPE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 18, 2023

TO: Honorable Todd Hunter, Chair, House Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB3440** by Canales (Relating to the governmental bodies required to post on the Internet agendas for meetings under the open meetings law.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 781 Higher Education Coordinating Board, 978 San Jacinto College

LBB Staff: JMc, SMAT, BC, DPE