

BILL ANALYSIS

H.B. 4991
By: Canales
Delivery of Government Efficiency
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that public officials and public information coordinators may be receiving legal counsel from attorneys who have not undergone trainings on state public information law and open meetings law. H.B. 4991 seeks to ensure that attorneys employed or engaged by a governmental body are properly informed on their responsibilities by requiring legal education regarding the state public information law and state open meetings law.

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

H.B. 4991 amends the Government Code to require an attorney employed or engaged to assist a public official or governmental body in administering the responsibilities of the official or governmental body under state open meetings law to complete the open meetings training currently required of public officials subject to that law. Additionally, the bill requires an attorney employed or engaged to assist a public official, public information coordinator, or governmental body in administering the responsibilities of the official, coordinator, or governmental body under state public information law to complete the open records training currently required of public officials subject to that law.

H.B. 4991 requires such an attorney to complete the applicable required training regarding the responsibilities of the governmental body and its officers and employees under state open meetings law or state public information law not later than the 10th day after the date the attorney is employed or engaged to assist the public official, public information coordinator, or governmental body, as applicable, with those responsibilities. The bill prohibits an attorney from being compensated by a governmental body for the time required to take and complete the applicable training unless the attorney is an employee of the governmental body. The bill requires each attorney who provides the applicable assistance on the bill's effective date to complete the respective training course on or before October 1, 2025.

H.B. 4991 removes the authorization for a public official to designate a public information coordinator who is primarily responsible for administering the responsibilities of the official or governmental body to satisfy the open records training requirements under state public information law for the official. The bill instead specifies that a public official is authorized to

designate a public information coordinator to be primarily responsible for administering those responsibilities. The bill requires a public official serving on the bill's effective date who has not previously completed the required open records training because the official previously designated a public information coordinator to complete the training requirements for the official to complete the required open records training on or before January 1, 2026.

EFFECTIVE DATE

September 1, 2025.