

1-1 By: Capriglione H.B. No. 4219
1-2 (Senate Sponsor - Zaffirini, et al.)
1-3 (In the Senate - Received from the House May 5, 2025;
1-4 May 5, 2025, read first time and referred to Committee on Business
1-5 & Commerce; May 15, 2025, reported favorably by the following vote:
1-6 Yeas 11, Nays 0; May 15, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Schwertner	X		
1-10	King	X		
1-11	Blanco	X		
1-12	Campbell	X		
1-13	Creighton	X		
1-14	Johnson	X		
1-15	Kolkhorst	X		
1-16	Menéndez	X		
1-17	Middleton	X		
1-18	Nichols	X		
1-19	Zaffirini	X		

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to a governmental body's response to a request for public
1-23 information.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 552.221, Government Code, is amended by
1-26 adding Subsections (f) and (g) to read as follows:

1-27 (f) If the governmental body determines it has no
1-28 information responsive to a request for information, the officer
1-29 for public information shall notify the requestor in writing not
1-30 later than the 10th business day after the date the request is
1-31 received.

1-32 (g) If a governmental body determines the requested
1-33 information is subject to a previous determination that permits or
1-34 requires the governmental body to withhold the requested
1-35 information, the officer for public information shall, not later
1-36 than the 10th business day after the date the request is received:

1-37 (1) notify the requestor in writing that the
1-38 information is being withheld; and

1-39 (2) identify in the notice the specific previous
1-40 determination the governmental body is relying on to withhold the
1-41 requested information.

1-42 SECTION 2. Section 552.301(b), Government Code, is amended
1-43 to read as follows:

1-44 (b) The governmental body must ask for the attorney
1-45 general's decision and state the specific exceptions that apply
1-46 within a reasonable time but not later than the 10th business day
1-47 after the date of receiving the written request.

1-48 SECTION 3. The heading to Subchapter H, Chapter 552,
1-49 Government Code, is amended to read as follows:

1-50 SUBCHAPTER H. CIVIL ENFORCEMENT; COMPLAINT

1-51 SECTION 4. Subchapter H, Chapter 552, Government Code, is
1-52 amended by adding Section 552.328 to read as follows:

1-53 Sec. 552.328. FAILURE TO RESPOND TO REQUESTOR. (a) If a
1-54 governmental body fails to respond to a requestor as required by
1-55 Section 552.221, the requestor may send a written complaint to the
1-56 attorney general.

1-57 (b) The complaint must include:

1-58 (1) the original request for information; and

1-59 (2) any correspondence received from the governmental
1-60 body in response to the request.

1-61 (c) If the attorney general determines the governmental
1-62 body improperly failed to comply with Section 552.221 in connection

with a request for which a complaint is made under this section:

(1) the attorney general shall notify the governmental body in writing and require the governmental body's public information officer or the officer's designee to complete open records training not later than six months after receiving the notification;

(2) the governmental body may not assess costs to the requestor for producing information in response to the request; and

(3) if the governmental body seeks to withhold information in response to the request, the governmental body must:

(A) request an attorney general decision under Section 552.301 not later than the fifth business day after the date the governmental body receives the notification under Subdivision (1); and

(B) release the requested information unless there is a compelling reason to withhold the information.

SECTION 5. The changes in law made by this Act apply only to a request for information that is received by a governmental body or an officer for public information on or after the effective date of this Act.

SECTION 6. This Act takes effect September 1, 2025.

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