

By: Canales

H.B. No. 4990

A BILL TO BE ENTITLED

AN ACT

relating to compliance with the public information law, including establishment of an open records hotline to provide information about the requirements of the public information law.

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

SECTION 1. Subchapter A, Chapter 552, Government Code, is amended by adding Section 552.013 to read as follows:

Sec. 552.013. OPEN RECORDS HOTLINE. The attorney general shall operate an open records hotline that a member of the public or an employee or officer of a governmental body may access by calling a toll-free telephone number to ask any question regarding the requirements of this chapter, including the proper procedure to request information from a governmental body and for a governing body to comply with this chapter. The attorney general shall respond to the caller's questions as the attorney general considers appropriate to promote compliance with this chapter.

SECTION 2. Subchapter E, Chapter 552, Government Code, is amended by adding Section 552.236 to read as follows:

Sec. 552.236. COMPLAINT OF FAILURE TO PRODUCE INFORMATION.
(a) A person who has requested public information from a governmental body under this chapter and believes that the governmental body has failed to provide the information in compliance with this chapter may file a written complaint with the attorney general.

1 (b) A person filing a complaint under this section must
2 include with the complaint:

3 (1) the original request for information that is the
4 subject of the complaint;

5 (2) any correspondence received from the governmental
6 body that is the subject of the complaint in response to the
7 request; and

8 (3) a statement setting forth how the complainant
9 believes that the governmental body has failed to comply with the
10 requirements of this chapter.

11 (c) The attorney general may submit written questions
12 regarding the complaint to the governmental body that is the
13 subject of the complaint. The governmental body shall respond in
14 writing to the questions not later than the fifth business day after
15 the date the questions are received by the governmental body.

16 (d) The attorney general shall review each complaint filed
17 under this section and issue a written response to both the
18 complainant and the governmental body that is the subject of the
19 complaint not later than the 20th business day after the date the
20 complaint is filed with the attorney general.

21 SECTION 3. Section 552.269(a), Government Code, is amended
22 to read as follows:

23 (a) A person who believes the person has been overcharged
24 for being provided with a copy of public information may complain to
25 the attorney general in writing of the alleged overcharge, setting
26 forth the reasons why the person believes the charges are
27 excessive. The attorney general shall review the complaint and

1 make a determination in writing not later than the 10th business day
2 after the date the complaint is received by the attorney general as
3 to the appropriate charge for providing the copy of the requested
4 information. The governmental body shall respond to the attorney
5 general to any written questions asked of the governmental body by
6 the attorney general regarding the charges for providing the copy
7 of the public information. The response must be made to the
8 attorney general not later than the fifth [~~within 10~~] business day
9 [~~days~~] after the date the questions are received by the
10 governmental body. If the attorney general determines that a
11 governmental body has overcharged for providing the copy of
12 requested public information, the governmental body shall promptly
13 adjust its charges in accordance with the determination of the
14 attorney general.

15 SECTION 4. Section 552.269(a), Government Code, as amended
16 by this Act, applies only to a complaint made to the office of the
17 attorney general under that subsection on or after the effective
18 date of this Act.

19 SECTION 5. This Act takes effect September 1, 2025.