

By: Middleton

S.B. No. 1130

A BILL TO BE ENTITLED

AN ACT

relating to an alternative dispute resolution procedure regarding certain matters under the public information law.

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

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

Sec. 552.328. ALTERNATIVE DISPUTE RESOLUTION. (a) A requestor may require a governmental body to participate in an alternative dispute resolution procedure regarding a request for information submitted by the requestor to the governmental body if:

(1) the governmental body has:

(A) provided a written statement to the requestor under Section 552.231 or 552.2615 regarding the request; or

(B) requested a decision from the attorney general under Section 552.301 regarding information that is the subject of the request; and

(2) the requestor disagrees with:

(A) the determination of the governmental body provided in the written statement described by Subdivision (1)(A);

or

(B) an assertion made by the governmental body in the request described by Subdivision (1)(B).

(b) An alternative dispute resolution procedure conducted under this section must be consistent with Chapter 154, Civil

1 Practice and Remedies Code.

2 (c) A requestor may initiate an alternative dispute
3 resolution procedure under this section by submitting written
4 notice to the applicable governmental body not later than the 180th
5 day after the date the requestor requests the information under
6 Section 552.221 that is the subject of the dispute. The notice
7 must:

8 (1) advise the governmental body that the requestor is
9 initiating the alternative dispute resolution procedure authorized
10 by this section regarding a request for information;

11 (2) state the date the requestor submitted the
12 request;

13 (3) describe the information requested; and

14 (4) state each remedy the requestor seeks to obtain.

15 (d) A governmental body that receives a notice under
16 Subsection (c) shall participate in an alternative dispute
17 resolution procedure.

18 (e) A requestor and a governmental body that will
19 participate in an alternative dispute resolution procedure
20 initiated under this section may agree to retain and share any costs
21 associated with the services of an impartial third party in
22 conducting the procedure. If the requestor and the governmental
23 body cannot agree on an impartial third party, the State Office of
24 Administrative Hearings shall conduct the procedure at no cost to
25 the requestor or the governmental body.

26 (f) This section may not be construed to affect a deadline
27 or duty prescribed under this chapter.

1 (g) This section may not be construed to prevent a requestor
2 from:

3 (1) clarifying or withdrawing the request that is the
4 subject of an alternative dispute resolution procedure initiated
5 under this section; or

6 (2) submitting another request under this chapter.

7 (h) The State Office of Administrative Hearings shall adopt
8 rules necessary to implement this section.

9 SECTION 2. The State Office of Administrative Hearings
10 shall adopt rules as required by Section 552.328(h), Government
11 Code, as added by this Act, not later than January 1, 2026.

12 SECTION 3. The change in law made by this Act applies only
13 to a request for public information received on or after January 1,
14 2026.

15 SECTION 4. This Act takes effect September 1, 2025.