

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 26, 2025

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB111 by Capriglione (relating to the applicability of the public information law, including the disclosure of information in the possession, custody, or control of certain governmental bodies.),
Committee Report 2nd House, Substituted

The fiscal implications of the bill cannot be determined due to an unknown number of public information requests and the potential for increased litigation expenses as a result of the bill.

The bill would amend the Public Information Act (PIA) to amend the definition of "government body" and remove certain exceptions to disclosure requirements.

The Comptroller of Public Accounts (CPA) indicates that there would be a secondary cost to the agency associated with the bill. The CPA indicates this cost would be necessary to defend the agency in any additional lawsuits, to cover losses caused by the restriction of ability to protect the agency's attorney-client communications, and loss of ability to protect pre-litigation strategies, defenses and deliberative processes. Because the impact to the CPA from potential litigants utilizing the PIA as a result of the provisions of the bill is unknown, the fiscal impact to the agency cannot be determined.

The Office of the Attorney General indicates the bill would result in a moderate increase in requests for open records rulings, but assumes any additional workload could be absorbed using existing resources.

The Office of the Governor indicates the bill would have no significant fiscal impact to the agency.

The Secretary of State indicates the bill would have no significant fiscal impact to the agency.

Local Government Impact

The bill would amend the Public Information Act for governmental bodies, specifically what information can and cannot be excepted from disclosure. However, the full fiscal impact on local government is unable to be determined.

Source Agencies: 300 Trusted Programs Within the Office of the Governor, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 307 Secretary of State

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