LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 15, 2025

TO: Honorable Giovanni Capriglione, Chair, House Committee on Delivery of Government Efficiency

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB4990** by Canales (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.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4990, As Introduced: a negative impact of ($8,129,308) through the biennium ending August 31, 2027.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

Fiscal Year	**Probable Net Positive/(Negative) Impact to** ***General Revenue Related Funds***
2026	($6,755,936)
2027	($1,373,372)
2028	($1,373,372)
2029	($1,373,372)
2030	($1,373,372)

All Funds, Five-Year Impact:

Fiscal Year	**Probable Savings/(Cost) from** ***General Revenue Fund*** **1**	*Change in Number of State Employees from FY 2025*
2026	($6,755,936)	7.0
2027	($1,373,372)	7.0
2028	($1,373,372)	7.0
2029	($1,373,372)	7.0
2030	($1,373,372)	7.0

Fiscal Analysis

The bill would amend the Government Code relating to compliance with the Public Information Act (PIA). The Office of the Attorney General (OAG) would be responsible for establishing and maintaining a toll-free hotline to provide members of the public and government employees with information regarding open records requests and public information law.

Additionally, the bill would allow individuals to file a complaint against a government body which they believe has failed to comply with an open records request as required by law. The OAG would be required to review these complaints and issue written responses within twenty business days. The bill would also add a deadline of ten business days to respond to complaints concerning excessive charges for information requests.

Methodology

The OAG anticipates a significant increase in the number of complaints received. The agency also anticipates that the establishment of a new formal process would increase the administrative workload of handling complaints. According to the OAG, under current law, the only complaints the OAG is required to process are related to the amount a governmental body can charge under the Public Information Act. The bill would require additional processing for informal requests that currently have no written correspondence. The agency currently employs 2.0 FTEs to resolve these informal complaints.

The agency anticipates there would be a need for additional staff to expedite the complaints process to accommodate the new deadlines and to address the projected increase in the number of complaints.

The OAG indicates the need for 7.0 new FTEs to manage the increased workload resulting from the bill, including: (1) Assistant Attorney General IV, (3) Assistant Attorneys General II, (1) Administrative Assistant II, (1) Director II, and (1) Programmer IV.

The total cost of salaries, wages and benefits for these positions is estimated at $868,214 per fiscal year. Ongoing costs for travel and other operating expenses are estimated at $57,990 per fiscal year. Additionally, there is an estimated onetime equipment cost of $21,364 in fiscal year 2026.

Technology

The OAG assumes additional technology resources would be required to process complaints within the timeframe required by the bill. There would be a onetime technology cost associated with upgrading the agency's mail intake system, which would include: system development costs for filing a complaint, defining business rules and timelines, and automating the generation of notices and responses. The OAG estimates this onetime cost to be $5,770,440 in fiscal year 2026.

Ongoing costs for software licenses, cloud environment, data center services and voice lines are anticipated to be $37,928 in fiscal year 2026, and $447,168 in each subsequent fiscal year.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JMc, RStu, LCO, JKe, NV