By: Canales H.B. No. 1277

A BILL TO BE ENTITLED

AN ACT

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

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 allows a member of the public or an employee or officer of a governmental body to call a toll-free telephone number and 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 the governmental body failed to provide the information in compliance with this chapter may file a written complaint with the attorney general.

(b) A person filing a complaint under this section must

include with the complaint:

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

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

(3) a statement on the manner in which the complainant believes the governmental body failed to comply with the requirements of this chapter.

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

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

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

(a) A person who believes the person has been overcharged for being provided with a copy of public information may complain to the attorney general in writing of the alleged overcharge, setting forth the reasons why the person believes the charges are excessive. The attorney general shall review the complaint and make a determination in writing not later than the 10th business day

after the date the complaint is received by the attorney general as to the appropriate charge for providing the copy of the requested information. The governmental body shall respond to the attorney general to any written questions asked of the governmental body by the attorney general regarding the charges for providing the copy of the public information. The response must be made to the attorney general not later than the fifth [~~within 10~~] business day [~~days~~] after the date the questions are received by the governmental body. If the attorney general determines that a governmental body has overcharged for providing the copy of requested public information, the governmental body shall promptly adjust its charges in accordance with the determination of the attorney general.

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

SECTION 5. This Act takes effect September 1, 2027.