

BILL ANALYSIS

H.B. 3073
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State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised over confusion between supervisory guidance documents and regulatory documents provided by state agencies. H.B. 3073 seeks to address these concerns by requiring certain state agencies to provide a link to their guidance documents on the agency's public website.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3073 amends the Government Code to require each executive branch state agency to include on its publicly accessible website, not later than March 1, 2022, a prominently displayed link to the guidance documents issued by the agency that describe the agency's policy on a statutory, regulatory, or technical issue that relates to the agency's powers and duties or that interpret a statutory or regulatory issue that relates to the agency's powers and duties. The bill prohibits an agency from charging a person to access those documents and establishes that the documents do not include an agency's adopted rules. The bill requires its provisions to be liberally construed to effectuate its purposes but prohibits them from being construed to require disclosure of information that is excepted from disclosure or is confidential under state public information law.

EFFECTIVE DATE

September 1, 2021.