

- SUBJECT:** Accessing archaic information excepted by the Public Information Act
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 8 ayes — Swinford, Paxton, Van Arsdale, Christian, B. Cook, Flynn, Parker, Veasey
- 0 nays
- 1 absent — Farrar
- SENATE VOTE:** On final passage, May 8 — 31-0, on Local and Uncontested Calendar
- WITNESSES:** No public hearing
- BACKGROUND:** The Public Information Act (Government Code, ch. 552) ensures public access to records and other material maintained by government bodies, including local governments.
- The act provides exceptions to disclosure for information considered confidential by law. Other information excepted from public disclosure under Government Code, subch. C, includes certain information contained in a personnel file, information held by law enforcement about a criminal investigation the disclosure of which would interfere with that investigation, certain motor vehicle records, certain information about TDCJ inmates except as otherwise provided, some military discharge records, and certain working papers of administrative law judges, among other information.
- DIGEST:** SB 1299 would stipulate that, except as otherwise specifically provided by other law, including Government Code, ch. 552, information that was not confidential but was excepted from required disclosure under subch. C would be public information and available to the public on or after the 75th anniversary of the date the information was created or received by the governmental body. The bill would not limit the authority of a governmental body to establish retention periods for records.

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The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.