

- SUBJECT:** Disclosing certain draft grant applications under public information laws
- COMMITTEE:** Government Transparency and Operation — committee substitute recommended
- VOTE:** 6 ayes — Elkins, Capriglione, Lucio, Shaheen, Tinderholt, Uresti
1 nay — Gonzales
- WITNESSES:** For — Charles Thibodeaux, Texas Overdose Naloxone Initiative;
(*Registered, but did not testify:* Kelley Shannon, Freedom of Information Foundation of Texas; Michael Schneider, Texas Association of Broadcasters; Donnis Baggett, Texas Press Association)

Against — (*Registered, but did not testify:* Tom Tagliabue, City of Corpus Christi; Guadalupe Cuellar, City of El Paso; Christine Wright, City of San Antonio)

On — (*Registered, but did not testify:* Lisa Hernandez, Department of State Health Services; Lauren Lacefield Lewis, Health and Human Services Commission; Justin Gordon, Texas Attorney General)
- BACKGROUND:** The Public Information Act (Government Code, ch. 552) requires governmental bodies to disclose information to the public upon request unless that information is excepted from disclosure. Sec. 552.111 excepts an interagency or intraagency memorandum or letter that would not be available by law to a party in litigation with the agency from disclosure.

Observers have suggested that draft grant applications, which currently are exempt from public disclosure under the agency memoranda exception, be disclosed to allow more transparency in the grant application process.
- DIGEST:** CSHB 1082 would make the exception from public information laws for agency memoranda not applicable to a draft grant application prepared by or for a state agency or governmental entity with taxing authority after the

agency or entity submitted the grant application, determined it would not submit the application, or the submission deadline had passed.

The bill would take effect September 1, 2017, and would apply only to a request for information received on or after that date.