

BILL ANALYSIS

Senate Research Center
76R1482 JD-D

S.B. 57
By: Harris
State Affairs
2/15/1999
As Filed

DIGEST

Currently, Texas law provides an exception to the Public Information Act for information requests relating to pending or reasonably anticipated litigation involving the government agency of which the information is requested. Confusion has arisen regarding the date upon which the litigation exception can be invoked. S.B. 57 would clarify that the litigation exception to the Public Information Act is applied based on pending or reasonably anticipated litigation on the actual date of an open records request.

PURPOSE

As proposed, S.B. 57 relates to the exception from required disclosure under the public information law of information relating to litigation.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 552.103, Government Code, by adding Subsection (c), to provide that information relating to litigation involving a governmental body is excepted from disclosure only if the litigation is pending or reasonably anticipated on the date the information is requested.

SECTION 2. Emergency clause.
Effective date: upon passage.