

BILL ANALYSIS

Senate Research Center
79R5162 MXM-D

H.B. 2473
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Government Organization
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

As technology used for data storage and public access of materials has changed, the need to modernize current law regarding state publications has become increasingly important.

H.B. 2473 updates obsolete language and codifies current procedures regarding access to and preservation of state documents.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 441.101(2) and (4), Government Code, to redefine "depository library" and "state publication."

SECTION 2. Amends Section 441.102(c), Government Code, to require the Texas State Library and Archives Commission (commission) to establish and maintain a system, named the "Texas Records and Information Locator," or "TRAIL," to allow electronic access, including access through the Internet, at the Texas State Library and other depository libraries to state publications, rather than to state publications in an electronic format, that have been made available to the public through the Internet by or on behalf of a state agency.

SECTION 3. Amends Section 441.103, Government Code, by amending Subsections (a) and (b) and adding Subsections (f) and (g), as follows:

(a) Requires a state agency to designate one or more staff persons as agency publications liaisons, rather than contact persons. Makes a conforming change.

(b) Requires a state agency to furnish copies of its state publications that exist in a physical format to the Texas State Library in the number specified by commission rules. Requires a state agency, on the creation, rather than printing, of or awarding of a contract for the production, rather than printing, of a publication in a physical format, to arrange for the required number of copies to be deposited with the Texas State Library. Makes conforming changes.

(f) Requires a state agency to include, for any of its publications available on the Internet, identifying and descriptive information about the publication as specified by commission and Department of Information Resources rules.

(g) Requires the state agency, if an electronic state publication is not printed or available from the state agency's website, to furnish the Texas State Library copies in a manner prescribed by commission rules. Prohibits the commission from requiring more than 75 copies of the publication.

SECTION 4. Amends Section 441.104, Government Code, to amend the existing duties of the Texas State Library.

SECTION 5. Amends Section 441.106, Government Code, to prohibit an account for a state agency's printing from being approved and a warrant from being issued, if the agency's printing is done by contract, unless the agency first furnishes to the Texas Building and Procurement Commission, rather than the State Purchasing and General Services Commission, a specific receipt.

SECTION 6. Effective date: September 1, 2005.