

BILL ANALYSIS

Senate Research Center
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S.B. 1270
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Government Organization
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

An Act of the 79th Legislature, Regular Session, 2005, required the Texas State Library and Archives Commission (TSLAC) to compile a report that inventories and assesses the usefulness of over 1,600 reports that state agencies are required by law to prepare and submit to other state agencies, local government entities, and the public. Unfortunately, there is no central location where researchers, legislators, and the public can access these reports.

As proposed, S.B. 1270 requires state agencies to make available to TSLAC in an electronic format each report required by law. This bill requires the Texas State Library to establish and maintain an index of all current state agency reports required by law and provide electronic access to both the index and the text of the reports through a link on the home page of the Texas Records and Information Locator (TRAIL).

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 Section 441.101(4), Government Code, to redefine "state publication."

SECTION 2. Amends Section 441.103, Government Code, by amending Subsections (c) and (g) and adding Subsection (h), as follows:

(c) Requires a state agency, on the release of a state publication in an electronic format and for the purpose of further distribution of the publication, to provide the Texas State Library, among other formats, a copy of the publication in an electronic format consistent with Section 2052.0021(c) (relating to the requirement that reports required by law be made available to the legislature in an electronic format) if the publication is a report required by law. Makes a nonsubstantive change.

(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 Texas State Library and Archives Commission (TSLAC) rules, except that the state agency is required to provide reports required by law in an electronic format consistent with Section 2052.0021(c). Prohibits TSLAC from requiring more than 75 printed copies, rather than 75 copies, of the publication.

(h) Requires a state agency to make available to TSLAC in an electronic format consistent with Section 2052.021(c) each report required by law.

SECTION 3. Amends Section 441.104, Government Code, as follows:

Sec. 441.104. DUTIES OF TEXAS STATE LIBRARY. Requires the Texas State Library to perform certain duties, including to establish and maintain an index of all current state agency reports required by law and provide electronic access to both the index and the text of the reports through a link on the home page of the Texas Records and Information Locator (TRAIL) established under Section 441.102(c) (relating to the

requirement of TSLAC to establish and maintain TRAIL). Makes a nonsubstantive change.

SECTION 4. Amends Section 441.105, Government Code, as follows:

Sec. 441.105. EXEMPT PUBLICATIONS. Authorizes the state librarian to specifically exempt a publication or a distribution format from this subchapter, except that the state librarian is prohibited from exempting a report required by law that is governed by Section 441.103(h).

SECTION 5. Effective date: January 1, 2010.