

SUBJECT: Providing copies under the open records law

COMMITTEE: State Affairs — favorable, with amendment

VOTE: 9 ayes — Wolens, S. Turner, Carter, Counts, Hilbert, Hunter, D. Jones,  
McCall, Ramsay

0 nays

6 absent — Alvarado, Brimer, Craddick, Danburg, Longoria, Stiles

WITNESSES: None

DIGEST: HB 951, as amended, would revise a chapter of the Public Information (Open Records) Act dealing with charges for providing copies of public information. The bill would make a number of nonsubstantive and clarifying changes. Substantive changes would:

- provide that a state agency assessing labor costs as a portion of a charge for copying public records submit a breakdown of these charges upon request to the person seeking the information; and
- specify that a written request for information under the open records laws would include a request sent by electronic mail, other electronic media, or facsimile transmission.

HB 951 would take effect September 1, 1997, and would prevail over other nonsubstantive additions to and corrections in enacted codes.

SUPPORTERS SAY: HB 951 would clarify certain provisions of the open records statutes and eliminate outdated provisions of the law. Most of the changes in HB 951 are nonsubstantive, with the exception of the requirement that state agencies that charge for the labor costs involved in making copies report these charges to the requestor. The amendment clarifying that electronic mail and facsimile transmissions would be considered as written requests was added in response to an attorney general's opinion recommending this clarification in the law.

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OPPONENTS  
SAY: No apparent opposition.

NOTES: The committee amendment would include the provision on requests made by electronic mail, facsimile or other electronic transmission.