

BILL ANALYSIS

Senate Research Center

S.B. 1047
By: Wentworth
State Affairs
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As Filed

DIGEST

The Public Information Act, according to a 1993 opinion by the Attorney General, does not protect certain proprietary or confidential information gathered by city governments or other economic development efforts from businesses seeking economic incentives from those entities. S.B. 1047 would except certain business prospect information included in economic development negotiations with a governmental body from the open records law, but not from certain information if public funds are directly or indirectly expended.

PURPOSE

As proposed, S.B. 1047 excepts certain information about business prospects who have engaged in economic development negotiations with a governmental body from the open records law.

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 Chapter 552C, Government Code, by adding Section 552.131, as follows:

Sec. 552.131. EXCEPTION: ECONOMIC DEVELOPMENT INFORMATION. Provides that information is excepted from the requirements of Section 552.021, if the information relates to economic development negotiations involving a governmental body and a business prospect that the governmental body seeks to have locate, stay, or expand in or near the jurisdiction of the governmental body and the information relates to certain business information. Provides that this section does not except from the requirements of Section 552.021, information about a financial or other incentive being offered to the business prospect by the governmental body or by another person, if the financial or other incentive may directly or indirectly result in the expenditure of public funds by a governmental body or in a reduction in revenues received by a governmental body from any source of revenue.

Effective date: 90 days after adjournment.