

## **BILL ANALYSIS**

Senate Research Center  
78R2735 JD-D

S.B. 653  
By: Wentworth  
State Affairs  
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As Filed

### **DIGEST AND PURPOSE**

Under current law, a person who requests a copy of public information from a governmental body is charged the “photocopying costs” for the service (which can include labor costs), are given ten days to take certain actions, and must make any complaints regarding charges for such services to the General Services Commission. As proposed, S.B. 653 changes the language of the Government Code to limit a charge for a copy of public information to the charge for each page of the paper record that is copied, changes ten-day timelines to ten business days, and makes the Texas Building and Procurement Commission (TBPC) responsible for handling complaints arising from the provision of copies of public information. In addition, S.B. 653 provides that a request for public information is not withdrawn if the requestor has filed a complaint with the TBPC concerning costs.

### **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 552.261(a), Government Code, to require the charge for providing a copy of public information to be limited to the charge for each page of the paper record that is photocopied, rather than photocopying costs, if a request for a copy of public information is 50 pages or less.

SECTION 2. Amends Section 552.2615(b), Government Code, to provide that a request under Subsection (a) is considered to have been withdrawn by the requestor if the requestor does not respond in writing to a certain statement within 10 business days, rather than 10 days, in one of several ways. Adds that one of the ways a requestor may respond is to inform the governmental body that the requestor has sent the Texas Building and Procurement Commission (TBPC) a complaint of being overcharged for the copy of public information.

SECTION 3. Amends Section 552.269, Government Code, to grant TBPC certain responsibilities and authority pertaining to the handling of overcharge complaints previously granted to the General Services Commission. Provides that a certain response must be made in 10 business days, rather than 10 days. Makes conforming changes.

SECTION 4. Effective date: September 1, 2003.