

## **BILL ANALYSIS**

Senate Research Center  
78R6643 JD-D

S.B. 763  
By: Lindsay  
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As Filed

### **DIGEST AND PURPOSE**

Currently, county commissioners courts and municipal governing bodies do not have the ability to discuss terrorist response plans in a closed session or to maintain the confidentiality of those plans. As proposed, S.B. 763 allows a county commissioners court or a municipal governing body to meet in a closed session when deliberating the details or occasions for implementing a plan to respond to an act of terrorism, and provides an exception to the public information law to allow certain emergency response plans to be kept confidential.

### **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 Chapter 551D, Government Code, by adding Section 551.090, as follows:

Sec. 551.090. CERTAIN DELIBERATIONS OF COMMISSIONERS COURT OR MUNICIPAL GOVERNING BODY. Provides that this chapter does not require a county commissioners court or a municipal governing body to conduct an open meeting to deliberate the details, or specific occasions for implementation, of a plan for responding to an act of terrorism.

SECTION 2. Amends Chapter 552C, Government Code, by adding section 552.145, as follows:

Sec. 552.145. EXCEPTION: CERTAIN RESPONSE PLANS OF MUNICIPALITY OR COUNTY. Provides an exception from the requirements of Section 552.021 for information relating to a plan of a municipality or county for responding to an act of terrorism that is collected, assembled, or maintained by the department of the municipality or county responsible for emergency management or emergency responses.

SECTION 3. Effective date: upon passage or September 1, 2003.