

## **BILL ANALYSIS**

Senate Research Center  
79R5129 MXM-F

H.B. 423  
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Government Organization  
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Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Many state agencies produce publications that are mailed at no cost to interested parties on a subscription basis. With recent advances in electronic publication and the Internet, many of these publications are also published online.

H.B. 423 requires state agencies that distribute free publications to make those publications accessible on the agency's website. H.B. 423 also requires agencies to include, with mailed publications, a notification that a publication is available online and to inform the subscriber that they may access the publication via the agency's website, if preferred. An agency is then required, if a subscriber chooses to access a publication on the Internet, rather than receive a hard copy in the mail, to remove the subscriber from the agency's mailing list and notify the subscriber via e-mail when an issue becomes available online.

### **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 Subchapter G, Chapter 441, Government Code, by adding Section 441.1035, as follows:

Sec. 441.1035. STATE PUBLICATIONS DISTRIBUTED IN PHYSICAL FORMAT; NOTICE; ONLINE AVAILABILITY. Requires a state agency that distributes by subscription a state publication in a physical format, such as paper, tape, or disk, and without a fee or other cost to the subscriber, to make the publication accessible in an electronic format from the agency's Internet website. Requires a state agency that makes a publication accessible on its Internet website, when distributing a state publication in a physical format, to inform each subscriber to the publication that the subscriber may access a publication at the agency's website instead of receiving a physical copy. Requires the agency to take certain actions if a subscriber prefers to access a publication at the agency's website and notifies the agency of that preference.

SECTION 2. Effective date: September 1, 2005.