

BILL ANALYSIS

Senate Research Center
79R13327 JRD-D

C.S.S.B. 1133
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State Affairs
4/19/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, under the Open Meetings Act, public notice is posted for the time, place, and subject matter of meetings of governmental bodies. Although, from a practical standpoint, few people actually receive this notice, there is need to provide Texans with information regarding the activities of local governmental bodies.

C.S.S.B. 1133 broadens the requirements of the Open Meetings Act, by requiring certain local governmental bodies and economic development corporations that maintain websites to post notice of meetings as well as the entire agenda packets of those meetings on their websites. Only entities with a population of 48,000 or more would be required to post their entire agenda packet.

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 C, Chapter 551, Government Code, by adding Section 551.056, as follows:

Sec. 551.056. ADDITIONAL POSTING REQUIREMENTS FOR CERTAIN MUNICIPALITIES, COUNTIES, SCHOOL DISTRICTS, JUNIOR COLLEGE DISTRICTS, AND DEVELOPMENT CORPORATIONS. (a) Provides that this section applies only to a governmental body or economic development corporation that maintains an Internet website (website) or for which a website is maintained. Provides that this section does not apply to a governmental body that is a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a county or municipality.

(b) Requires, in addition to the other place at which notice is required to be posted by this subchapter, certain governmental bodies and economic development corporations to also concurrently post notice of a meeting on the website of the governmental body or economic development corporation.

(c) Requires certain governmental bodies and economic development corporations to also concurrently post the entire agenda packet for the meeting on their website.

(d) Provides that the validity of a posted notice of a meeting or an agenda by a governmental body or economic development corporation subject to this section that made a good faith attempt to comply with the requirements of this section is not affected by a failure to comply with a requirement of this section that is due to a technical problem beyond the control of the governmental body or economic development corporation.

SECTION 2. Makes application of this Act prospective to January 4, 2006.

SECTION 3. Effective date: January 1, 2006.