

BILL ANALYSIS

Senate Research Center
82R20816 KYF-F

H.B. 2313
By: Coleman (Wentworth)
Open Government
5/6/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 81st Legislature enacted a bill to allow a municipality's governing body to receive staff reports during a meeting of the body, provided that no action is taken and there is no discussion of possible action on the information contained in the report. This legislation extends the same privilege to county governments. H.B. 2313 also provides that a municipal government may post notice of its meetings on the municipality's official website. The posting of such notice is discretionary and does not change the required posting of notice on a bulletin board at a place convenient to the public in city hall.

H.B. 2313 amends current law relating to certain notice requirements for municipalities and counties under the open meetings law.

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 551.0415, Government Code, as follows:

Sec. 551.0415. New heading: GOVERNING BODY OF MUNICIPALITY OR COUNTY: REPORTS ABOUT ITEMS OF COMMUNITY INTEREST REGARDING WHICH NO ACTION WILL BE TAKEN. (a) Authorizes a quorum of the governing body of a municipality or county, notwithstanding Sections 551.041 (Notice of Meeting Required) and 551.042 (Inquiry Made at Meeting), to receive from staff of the political subdivision, rather than from municipal staff, and a member of the governing body to make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) Redefines "items of community interest" for purposes of Subsection (a).

SECTION 2. Amends Section 551.050, Government Code, as follows:

Sec. 551.050. MUNICIPAL GOVERNMENTAL BODY: PLACE OF POSTING NOTICE. (a) Creates this subsection from existing text. Provides that a municipal governmental body is required to post notice of each meeting on a bulletin board at a place convenient to the public in the city hall, and is authorized to post notice of each meeting on the municipality's official Internet website.

(b) Requires a municipal governmental body posting notice on the Internet under Subsection (a) to provide during regular office hours a computer terminal at certain municipal facilities convenient to the public that members of the public may use to view notices of meetings posted by the municipality.

SECTION 3. Effective date: upon passage or September 1, 2011.