Chapter 1364

S.B. No. 671

AN ACT
relating to information requested by a member, committee, or agency
of the legislature under the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.008, Government Code, is amended by
adding Subsections (b-1) and (b-2) to read as follows:

(b-1) A member, committee, or agency of the legislature
required by a governmental body to sign a confidentiality agreement
under Subsection (b) may seek a decision as provided by Subsection
(b-2) about whether the information covered by the confidentiality
agreement is confidential under law. A confidentiality agreement
signed under Subsection (b) is void to the extent that the agreement
covers information that is finally determined under Subsection
(b-2) to not be confidential under law.

(b-2) The member, committee, or agency of the legislature
may seek a decision from the attorney general about the matter. The
attorney general by rule shall establish procedures and deadlines
for receiving information necessary to decide the matter and briefs
from the requestor, the governmental body, and any other interested
person. The attorney general shall promptly render a decision
requested under this subsection, determining whether the
information covered by the confidentiality agreement is
confidential under law, not later than the 45th business day after
the date the attorney general received the request for a decision
under this subsection. The attorney general shall issue a written
decision on the matter and provide a copy of the decision to the
requestor, the governmental body, and any interested person who
submitted necessary information or a brief to the attorney general
about the matter. The requestor or the governmental body may appeal
a decision of the attorney general under this subsection to a Travis
County district court. A person may appeal a decision of the
attorney general under this subsection to a Travis County district
court if the person claims a proprietary interest in the
information affected by the decision or a privacy interest in the
information that a confidentiality law or judicial decision is
designed to protect.

SECTION 2. This Act takes effect September 1, 2010.
S.B. No. 671

David Dewhurst
President of the Senate

I hereby certify that S.B. No. 671 passed the Senate on May 1, 2009, by the following vote: Yeas 30, Nays 1.

Jefferson Davis
Speaker of the House

I hereby certify that S.B. No. 671 passed the House on May 27, 2009, by the following vote: Yeas 148, Nays 0, one present not voting.

Robert Harris
Secretary of the Senate

Chief Clerk of the House

Approved:

19 Jun 09

Rick Perry
Governor

Filed in the Office of the Secretary of State
4:00 o'clock
JUN 19 2009

Colby Shuster III