Sec. 551.001. DEFINITIONS. In this chapter:

(1) "Board" means the governing body of which the public meets and has authority.

(2) "Deliberation" means a verbal exchange between members of a quorum of a governmental body, or between a quorum of a governmental body and another person, relating to an item that is within the jurisdiction of the governmental body.

(3) "Governmental body" means:

(A) a board, commission, department, committee, agency, or similar governmental entity created by constitution or statute, of the state or of a municipality or county;

(B) a county commissioners court in the state;

(C) the governing body of a municipality;

(D) a deliberative body that is created by a state-political power and that is classified as a department, agency, or political subdivision of a county or municipality;

(E) the governing body of a school district;

(F) a village board of trustees;

(G) a water board of directors;

(H) any internal coordinating or advisory bodies created by law.

Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 261, Sec. 1, eff. Sept. 1, 1995.

(3-a) a nonprofit corporation that is acquired by a municipal or county hospital under Section 2.204, Health and Safety Code, or a nonprofit corporation that is created by a municipal or county hospital under Section 2.205, Health and Safety Code, if the governing body of the municipal or county hospital appoints a majority of the board of directors of the nonprofit corporation;

(I) a school district board of trustees;

(J) a board of directors of a junior college district;

(K) a board of trustees of a municipal or county hospital or hospital district created by law;

(L) a board created under Section 22.074, Transportation Code; and

(M) the governing body of a nonprofit corporation created under Section 431.081, Tax Code.

Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 261, Sec. 1, eff. Sept. 1, 1995.

(4) a deliberative body or a quorum of a governmental body, or between a quorum of a governmental body and another person, that is convened or conducted by telephone conference call, electronic mail, or another similar means of communication if the members of the governmental body communicate among themselves by means of a series of communications that:

(A) except as otherwise provided by this subdivision, is prohibited;

(B) if the communications among members of the quorum relate to a matter over which the governmental body has supervisory or advisory powers, results in the governmental body or a quorum of the governmental body:

(i) first hearing about the matter being discussed or decided by the governmental body;

(ii) receiving information relating to the matter being discussed or decided by the governmental body; or

(iii) gaining a quorum of the governmental body at a future time regarding the matter being discussed or decided by the governmental body.

The term does not include the gathering of a quorum of a governmental body at an social function unrelated to the public business of the governmental body or at a religious service if the discussion of public business is not the predominant purpose of the social function or religious service. The term does not include a communication between a quorum of a governmental body and an employee of the governmental body, or between a quorum of the members of a governmental body and members of another governmental body, if the communication is limited to:

(C) a communication between members of a quorum that is:

(i) a communication between members of a quorum that:

(a) is made in a manner that does not allow a quorum of members of the governmental body to communicate among themselves about public business;

(b) is made to a person who is not a member of the governmental body;

(c) is made:

(1) on a message board, Internet website, or other similar or interactive electronic medium that is ephemeral in nature;

(2) in a manner that does not:

(A) create a record of the communication; and

(B) allow members of the governmental body to review the communication;

(3) in a manner that does not:

(A) allow members of the governmental body to:

(i) review the communication; or

(ii) respond to the communication;

(B) create a record of the communication; and

(C) allow members of the public to review the communication; and

(4) in a manner that does not allow members of the public to review the communication because the communication is made:

(A) on a message board, Internate website, or other similar or interactive electronic medium that is accessible only by members of the governmental body; or

(B) in a manner that does not allow members of the public to review the communication because the communication is made:

(i) on a message board, Internate website, or other similar or interactive electronic medium that is accessible only by members of the governmental body; and

(ii) in a manner that does not allow members of the public to review the communication because the communication is made:

(a) on a message board, Internate website, or other similar or interactive electronic medium that is accessible only by members of the governmental body; and

(b) in a manner that does not allow members of the public to review the communication because the communication is made:

(1) on a message board, Internate website, or other similar or interactive electronic medium that is accessible only by members of the governmental body; and

(2) in a manner that does not allow members of the public to review the communication because the communication is made:

(A) on a message board, Internate website, or other similar or interactive electronic medium that is accessible only by members of the governmental body; and

(B) A business entity whose securities are publicly traded if the investment or potential investment is in a business that is substantially similar to the business of the entity whose securities are publicly traded. For purposes of this section, "substantially similar" means that a reasonable person would conclude that the two businesses are similar.

(C) Qualifies the employee of the Texas grant fund or the retail payroll rebate program as a commercial purchaser of goods or services for purposes of the Texas Tax Code and Texas Business and Commerce Code if the employee is a commercial purchaser of goods or services for the business of the employee's employer.

(D) Qualifies the employee of a business entity that is a retail or wholesale business or a business that is primarily a business engaged in the sale of goods or services to the public for purposes of the Texas Tax Code and Texas Business and Commerce Code if the public business or agency giving that affects public business.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER D. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER E. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER F. MEDICAL BOARD OF MEXICO. This chapter does not require a medical board or medical committee to be established in accordance with the provisions of this chapter or in individual applicants for a medical board or medical committee.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER G. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER H. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER I. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER J. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER K. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER L. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER M. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER N. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER O. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER P. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER Q. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER R. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER S. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER T. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER U. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER V. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER W. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER X. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER Y. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER Z. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER AA. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER EE. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER FF. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER HH. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER II. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER VV. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER III. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER JJJ. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER KKK. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER MMM. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER UUU. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER VVV. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER WWW. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER ZZZ. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER AAAA. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER BBBB. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER CCCC. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER DDDD. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER GGGG. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER HHHH. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER IIII. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER JJJJ. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER KKKK. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER LLLL. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER PPPP. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

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Added by Acts 1993, 73rd Leg., ch. 296, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER VVVVV. DECLARATION REGARDING DEFINITE DECISION ON DEFINITE DECISION MATTERS. This chapter does not require a declaration regarding a definite decision on a definite decision matter.

Added by Acts 1993, 73rd Leg., ch

SUBCHAPTER G. ENFORCEMENT AND REMEDIES; CRIMINAL VIOLATIONS

Sec. 551.141. ACTION VOIDABLE. An action taken by a governmental body in violation of this chapter is voidable.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 551.142. MANDAMUS; INJUNCTION. (a) An interested person, including a member of the news media, may bring an action by mandamus or injunction to stop, prevent, or reverse a violation or threatened violation of this chapter by members of a governmental body.

(b) The court may assess costs of litigation and reasonable attorney fees incurred by a plaintiff or defendant who substantially prevails in an action under Subsection (a). In exercising its discretion, the court shall consider whether the action was brought in good faith and whether the conduct of the governmental body had a reasonable basis in law.

(c) The attorney general may bring an action by mandamus or injunction to stop, prevent, or reverse a violation or threatened violation of Section 551.045(a-1) by members of a governmental body.

(d) A suit filed by the attorney general under Subsection (c) must be filed in a district court of Travis County.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by:
Acts 2019, 86th Leg., R.S., Ch. 462 (S.B. 494), Sec. 3, eff. September 1, 2019.

Sec. 551.143. PROHIBITED SERIES OF COMMUNICATIONS; OFFENSE; PENALTY. (a) A member of a governmental body commits an offense if the member:

(1) knowingly engages in at least one communication among a series of communications that each occur outside of a meeting authorized by this chapter and that concern an issue within the jurisdiction of the governmental body in which the members engaging in the individual communications constitute fewer than a quorum of members but the members engaging in the series of communications constitute a quorum of members; and

(2) knew at the time the member engaged in the communication that the series of communications:

(A) involved or would involve a quorum; and

(B) would constitute a deliberation once a quorum of members engaged in the series of communications.

(b) An offense under Subsection (a) is a misdemeanor punishable by:

(1) a fine of not less than $100 or more than $500;

(2) confinement in the county jail for not less than one month or more than six months; or

(3) both the fine and confinement.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by:
Acts 2019, 86th Leg., R.S., Ch. 645 (S.B. 1640), Sec. 2, eff. June 10, 2019.
Acts 2019, 86th Leg., R.S., Ch. 645 (S.B. 1640), Sec. 3, eff. June 10, 2019.

Sec. 551.144. CLOSED MEETING; OFFENSE; PENALTY. (a) A member of a governmental body commits an offense if a closed meeting is not permitted under this chapter and the member knowingly:

(1) calls or aids in calling or organizing the closed meeting, whether it is a special or called closed meeting;

(2) closes or aids in closing the meeting to the public, if it is a regular meeting; or

(3) participates in the closed meeting, whether it is a regular, special, or called meeting.

(b) An offense under Subsection (a) is a misdemeanor punishable by:

(1) a fine of not less than $100 or more than $500;

(2) confinement in the county jail for not less than one month or more than six months; or

(3) both the fine and confinement.

(c) It is an affirmative defense to prosecution under Subsection (a) that the member of the governmental body acted in reasonable reliance on a court order or a written interpretation of this chapter contained in an opinion of a court of record, the attorney general, or the attorney for the governmental body.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1999, 76th Leg., ch. 647, Sec. 3, eff. Aug. 30, 1999.

Sec. 551.145. CLOSED MEETING WITHOUT CERTIFIED AGENDA OR RECORDING; OFFENSE; PENALTY. (a) A member of a governmental body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by:
Acts 2013, 83rd Leg., R.S., Ch. 87 (S.B. 471), Sec. 15, eff. May 18, 2013.
Acts 2013, 83rd Leg., R.S., Ch. 87 (S.B. 471), Sec. 16, eff. May 18, 2013.

Sec. 551.146. DISCLOSURE OF CERTIFIED AGENDA OR RECORDING OF CLOSED MEETING; OFFENSE; PENALTY; CIVIL LIABILITY. (a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

(A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

(B) reasonable attorney fees and court costs; and

(C) at the discretion of the trier of fact, exemplary damages.

(b) An offense under Subsection (a)(1) is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:

(1) the defendant had good reason to believe the disclosure was lawful; or

(2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or recording.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by:
Acts 2013, 83rd Leg., R.S., Ch. 87 (S.B. 471), Sec. 17, eff. May 18, 2013.
Acts 2013, 83rd Leg., R.S., Ch. 87 (S.B. 471), Sec. 18, eff. May 18, 2013.

GOVERNMENT CODE

TITLE 5. OPEN GOVERNMENT; ETHICS

SUBTITLE A. OPEN GOVERNMENT

CHAPTER 552. PUBLIC INFORMATION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 552.001. POLICY; CONSTRUCTION. (a) Under the fundamental philosophy of the American constitutional form of representative government that governmental power is inherently subject to the control of the people, this chapter shall be liberally construed in favor of the granting of a request for information in accordance with the intent of the legislature that all persons, including corporations, organizations, and associations, have prompt access to information in sufficient time for them to effectively participate in the democratic process.

(b) As an individual officer or employee of a governmental body, but not given public powers beyond those of an ordinary citizen, may be in a position to have information that is not subject to disclosure under this chapter, the individual officer or employee has the same rights of access to information as a person who is not a member, officer, or employee of a governmental body.

(c) Information that is not subject to disclosure under this chapter is not made confidential by this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 552.002. DEFINITION OF PUBLIC INFORMATION. (a) In this chapter, "public information" means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

(1) by a governmental body;

(2) for a governmental body and the governmental body:

(A) owns the information;

(B) has a right of access to the information; or

(C) spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; or

(3) by an individual officer or employee of a governmental body in the officer's or employee's official capacity and the information pertains to official business of the governmental body.

(b) Information that is in the possession of a governmental body and that is collected, assembled, or maintained by or for a governmental entity or is developed or received by an independent contractor, or another person or business entity, performing a governmental function or providing services that relate to the performance by the governmental entity of its authorized functions is subject to this chapter to the extent that the information relates to the performance of the governmental function or the performance of the contract or business relationship. The information is nonetheless subject to this chapter when it is in the possession of the independent contractor, or another person or business entity, or a subcontractor or vendor for the contractor or entity, or another person or business entity, or a subcontractor or vendor for the contractor or entity, unless the information is:

(1) a trade secret of the contractor or other person or business entity not to be disclosed to a governmental entity or to a person who is not a party to the governmental function or services or a subcontractor or vendor for the contractor or other person or business entity;

(2) confidential commercial or financial information of the contractor or other person or business entity that is excepted from disclosure under Section 552.104 or other law;

(3) information relating to a competitive bid or proposal that is not disclosible under Section 552.101, Section 552.104, or other law after the conclusion of the bidding or award process;

(4) information that is not maintained, assembled, or compiled in connection with the performance of the governmental function or services;

(5) information that is held by a subcontractor, vendor, or other person or business entity performing a function or providing services for a governmental entity that the governmental entity could not lawfully obtain or maintain in its own name or through its own employees;

(6) information that is held by a subcontractor, vendor, or other person or business entity performing a function or providing services for a governmental entity that the governmental entity could lawfully obtain in its own name or through its own employees, but:

(A) the governmental entity does not have a copy of the information or the governmental entity's copy of the information is more outdated than the copy or version of the information that is held by the subcontractor, vendor, or other person or business entity; and

(B) the governmental entity does not have the ability to compel the subcontractor, vendor, or other person or business entity to supply the governmental entity with a current or more complete copy of the information; or

(7) information that:

(A) is held by a subcontractor, vendor, or other person or business entity performing a function or providing services for a governmental entity;

(B) is not in connection with the performance of the governmental function or services; and

(C) the governmental entity does not have the ability to compel the subcontractor, vendor, or other person or business entity to supply the governmental entity with a current or more complete copy of the information.

(c) Information that is collected, assembled, or maintained by or for a governmental entity pursuant to a law or ordinance or in connection with the transaction of official business includes information that is collected, assembled, or maintained by:

(1) a governmental body;

(2) a nonprofit corporation that is formed by or for or that acts on behalf of a governmental entity or that is supported by, or receives support from, a governmental entity or a governmental body if, with respect to the information, a governmental body or governmental entity:

(A) owns the information;

(B) has a right of access to the information; or

(C) spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(3) a nonprofit corporation that is formed by or for or that acts on behalf of a group composed exclusively of governmental bodies if, with respect to the information, a governmental body:

(A) owns the information;

(B) has a right of access to the information; or

(C) spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(4) a board, commission, council, or other agency that is created by a political subdivision and that spends public money;

(5) a nonprofit corporation that is formed by or for or that acts on behalf of a school district or other political subdivision if a majority of the members of the governing body of the school district or other political subdivision are appointed by the governing body of the nonprofit corporation and the governing body of the nonprofit corporation:

(A) owns the information;

(B) has a right of access to the information; or

(C) spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(6) a nonprofit corporation that is formed by or for or that acts on behalf of a school district or other political subdivision if the nonprofit corporation:

(A) receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(B) has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(7) a nonprofit corporation that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(A) the school district or other political subdivision owns the information;

(B) the school district or other political subdivision has a right of access to the information; and

(C) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(8) a nonprofit corporation that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(A) the school district or other political subdivision owns the information;

(B) the school district or other political subdivision has a right of access to the information; and

(C) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(9) a nonprofit corporation that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(A) the school district or other political subdivision owns the information;

(B) the school district or other political subdivision has a right of access to the information; and

(C) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(10) a nonprofit corporation that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(A) the school district or other political subdivision owns the information;

(B) the school district or other political subdivision has a right of access to the information; and

(C) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; and

(11) the office or agency that manages the finances of the Texas Tomorrow Fund.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 1997, 75th Leg., ch. 1475, Sec. 1, eff. Sept. 1, 1997.

Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.001, eff. Sept. 1, 2001.

Amended by Acts 2005, 79th Leg., Ch. 1289, Sec. 1, eff. June 17, 2005.

Amended by Acts 2007, 80th Leg., R.S., Ch. 1373, Sec. 1, eff. Sept. 1, 2007.

Amended by Acts 2009, 81st Leg., R.S., Ch. 1314, Sec. 1, eff. Sept. 1, 2009.

Sec. 552.003. DEFINITIONS. (a) In this chapter:

(1) "Governmental body":

(A) means:

(i) a board, commission, committee, department, institution, agency, or office that is or is created by the executive or legislative branch of state government and that is directed by one or more elected or appointed members;

(ii) a county commissioners court in this state;

(iii) the governing body of:

(a) a municipality that has the authority to impose property or sales taxes and that is classified as a department, agency, or political subdivision of a municipal corporation;

(b) a school district;

(c) a special purpose district or authority;

(d) a county board of education;

(e) the board of trustees of a:

(1) junior college district created under Chapter 130, Water Code, that provides a water supply or wastewater service, or both, and is exempt from ad valorem taxation under Section 11.30; or

(2) navigation district created under Section 52, Article III, or Section 59, Article XVI, of the constitution;

(iv) the governing body of a nonprofit water supply corporation that:

(a) has more than 5,000 active retail water utility connections;

(b) imposes a charge for water or sewer service that is not subject to regulation by a municipal or state regulatory agency;

(c) has the ability to impose a charge for water or sewer service that is not subject to regulation by a municipal or state regulatory agency on a person who is not a member of the corporation;

(v) the governing body of a nonprofit water supply or wastewater service corporation created under Chapter 67, Water Code, that provides a water supply or wastewater service, or both, and is exempt from ad valorem taxation under Section 11.30; but

(vi) a group of persons voluntarily meeting for the purpose of governing a public school;

(B) does not include:

(i) the judicial branch of state government or any agency or institution of the judicial branch of state government;

(ii) a political subdivision of this state, including an office, agency, or other governmental entity performing a function for a political subdivision, unless:

(a) the function is performing a function of the state agency or political subdivision for or on behalf of the state agency or political subdivision or political subdivision, respectively, or political subdivision responsible for the function;

(b) the function is not a function of the state agency or political subdivision for or on behalf of the state agency or political subdivision or political subdivision, respectively, or political subdivision responsible for the function, but the governmental body performing the function receives more than 50 percent of its annual gross revenue in the form of public money from the state agency or political subdivision responsible for the function;

(c) the governmental body performing the function is supported solely or to a de minimis extent by public money from the state agency or political subdivision or political subdivision, respectively, or political subdivision responsible for the function;

(d) the governmental body performing the function is supported solely or to a de minimis extent by public money from a political subdivision other than the political subdivision described by Subsubparagraph (b) of this paragraph;

(e) the governmental body performing the function is supported solely or to a de minimis extent by public money from the state or a political subdivision in the form of payment for services or products at a cost that is not more than the cost of the services or products on the same or similar terms available to persons who are not supported by public money;

(f) the governmental body performing the function does not have the power to impose taxes, assessments, or charges on property in this state;

(g) the governmental body performing the function does not have the power to impose a charge for water or sewer service that is not subject to regulation by a municipal or state regulatory agency on a person who is not a member of the governmental body performing the function;

(h) the governmental body performing the function does not have the ability to impose a charge for water or sewer service that is not subject to regulation by a municipal or state regulatory agency on a person who is not a member of a nonprofit water supply or wastewater service corporation created under Chapter 67, Water Code, that provides a water supply or wastewater service, or both, and is exempt from ad valorem taxation under Section 11.30; or

(i) the governmental body performing the function does not have the power to impose property taxes or sales and use taxes in accordance with authority granted under a law of this state;

(C) does not include the governing body of a nonprofit water supply or wastewater service corporation created under Chapter 67, Water Code, that provides a water supply or wastewater service, or both, and is exempt from ad valorem taxation under Section 11.30 if:

(i) a person who is a member of the governing body or an employee of the governing body receives from the governing body compensation or reimbursement of expenses in connection with the person's service or employment with the governing body in an amount that is more than the median household income in the state as reported by the most recent decennial census;

(ii) the governing body has more than 500 active retail water utility connections; and

(iii) the governing body:

(a) has an Internet website; or

(b) does not have the authority to have delivery or disconnection of water of a state agency or political subdivision exercised against a person who is not a member of the governing body;

(D) means a school district board of trustees in connection with the district's adoption, collection, and expenditure of taxes under a budget or tax rate adopted at a meeting held outside the district's geographic area of the district;

(E) means the board of directors of a municipality operating under Subchapter D, Chapter 552, Acts of the 73rd Legislature, Regular Session, 1993, as amended by Section 1, Chapter 1035, Acts of the 74th Legislature, Regular Session, 1995, if:

(i) the municipality has adopted a resolution, order, or ordinance in accordance with provisions of that Subchapter D that authorize the board to act as the governing body of the municipality;

(ii) the board has been in continuous operation since the date the municipality adopted the resolution, order, or ordinance;

(iii) the municipality has not:

(a) created any other board to act as the governing body of the municipality; or

(b) transferred the powers of the governing body of the municipality to any other governmental body or private business entity;

(iv) the board has not:

(a) created any other governmental body; or

(b) transferred any of its powers to any other governmental body or private business entity;

(v) the board:

(a) has an Internet website; or

(b) does not have the authority to have delivery or disconnection of water of a state agency or political subdivision exercised against a person who is not a member of the board;

(F) means the board of directors of a municipality operating under Subchapter D, Chapter 552, Acts of the 73rd Legislature, Regular Session, 1993, as amended by Section 1, Chapter 1035, Acts of the 74th Legislature, Regular Session, 1995, if:

(i) the municipality has adopted a resolution, order, or ordinance in accordance with provisions of that Subchapter D that authorize the board to act as the governing body of the municipality;

(ii) the board has been in continuous operation since the date the municipality adopted the resolution, order, or ordinance;

(iii) the municipality has not:

(a) created any other board to act as the governing body of the municipality; or

(b) transferred the powers of the governing body of the municipality to any other governmental body or private business entity;

(iv) the board has not:

(a) created any other governmental body; or

(b) transferred any of its powers to any other governmental body or private business entity;

(v) the board:

(a) has an Internet website; or

(b) does not have the authority to have delivery or disconnection of water of a state agency or political subdivision exercised against a person who is not a member of the board;

(G) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if a majority of the members of the governing body of the school district or other political subdivision are appointed by the governing body of the nonprofit corporation and the governing body of the nonprofit corporation:

(a) owns the information;

(b) has a right of access to the information; or

(c) spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(H) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(I) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(J) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(K) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(L) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(M) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(N) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(O) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(P) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(Q) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(R) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(S) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(T) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(U) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(V) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(W) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(X) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(Y) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(Z) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(AA) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(BB) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(CC) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(DD) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(EE) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(FF) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(GG) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(HH) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(II) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(JJ) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(KK) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(LL) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(MM) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(NN) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(OO) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(PP) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the school district or other political subdivision owns the information;

(b) the school district or other political subdivision has a right of access to the information; and

(c) the school district or other political subdivision spends public money for the purpose of writing, producing, collecting, assembling, or maintaining the information;

(ii) that receives more than 50 percent of its annual gross revenue in the form of public money from a school district or other political subdivision to be used to support the school district or other political subdivision; and

(iii) that has a governing body at least a majority of which is composed of persons who are officers or employees of the school district or other political subdivision or who are appointed by the school district or other political subdivision to represent the school district or other political subdivision on the governing body of the nonprofit corporation;

(QQ) means the governing body of a nonprofit corporation:

(i) that is formed by or for or that acts on behalf of a school district or other political subdivision if:

(a) the

the provisions of this chapter.

(2) Information obtained by authorized activities pertaining to the public or limiting the availability to the public of a motion demonstration permit, including information obtained by surveillance, shall be treated as information that is issued by a governmental body with having authority.

Added by Acts 2005, 79th Leg., r. 291, eff. June 1, 2007. Amd., r. 1, eff. June 1, 2009.

Sec. 552.137. DATA PROCESSING. This chapter does not require the release of information contained in computer files or software or an electronic agency or authority to allow the use of its computer to gain access to information in computer files or software.

Added by Acts 1989, 71st Leg., ch. 1, eff. Sept. 1, 1989. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd., r. 1, eff. June 1, 2009.

Sec. 552.137. ADDITIONAL EXCEPTIONS. (EXPIRATION EXCLUSION CONSIDERED). (REGULAR REVISED). (a) A governmental body is not required under this chapter to provide an electronic mail address, or website address, or any part of information that is protected by a cryptographic system or password, that is provided for purposes of the body to participate in commercial activities or the public.

(b) Information that is protected by a password or encryption system, or that is provided as a business service, such as a library book, a prescription or medical information, or a service to a person with a disability, is not subject to this section.

(c) A governmental body shall allow the inspection of information in a form in particular that is made part of, incorporated into, or referred to in a contract or agreement, if the information:

(1) is not proprietary or confidential;

(2) is not excepted from disclosure under another provision of this chapter.

Sec. 552.138. REQUIRED FOR INFORMATION FROM INCORPORATED ENTITIES. (a) A governmental body is not required to access or comply with a request for information from:

(1) an individual who is represented or confined in a correctional facility; or

(2) a person who is a member of the family or household of an individual who is represented or confined in a correctional facility.

(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a) or, that individual's spouse, information that is not otherwise confidential under this chapter.

(c) In this section, "correctional facility" means:

(1) a penal institution;

(2) a penal institution in another state or in federal custody;

(3) a correctional facility operated by the state or a political subdivision of the state;

(4) a correctional facility operated under a contract with the state or a political subdivision of the state;

(5) a juvenile justice program or facility as defined by Section 1.03, Juvenile Justice Code, Title 3, Family Code, or a comparable program or facility in another state or in federal custody;

(6) any police station or other place in which the unit executed the arrest, unless disclosure of the information would violate federal law or regulations or interfere with an investigation or prosecution.

Added by Acts 1993, 73rd Leg., ch. 765, Sec. 1, eff. Sept. 1, 1993. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd., r. 1, eff. June 1, 2009.

Sec. 552.139. EXCEPTION: ASSESSING VULNERABILITY OF GOVERNMENT INFORMATION. (a) Information is excepted from the requirements of Section 552.021 if the following information about an inmate who is confined in a facility operated by or under a contract with the Texas Department of Criminal Justice or a comparable agency of another state or federal jurisdiction:

(1) the inmate's name, identifying number, date of birth, and physical description;

(2) the inmate's assignment and work assignment history, disciplinary history, and history of participation in educational and vocational programs;

(3) the inmate's parole and mandatory release date;

(4) the inmate's prior and current offenses and the sentences for those offenses;

(5) the inmate's gang affiliation, if any, and the inmate's status in the gang;

(6) the inmate's assignment to a housing facility or area;

(7) any prior confinement of the inmate by the Texas Department of Criminal Justice or its predecessor;

(8) any disciplinary action taken against the inmate for violation of rules and regulations of the jail or a similar rule governing the inmate.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2007, 80th Leg., ch. 1, eff. Sept. 1, 2007.

Sec. 552.140. EXCEPTION: MILITARY DISCHARGE RECORDS. (a) Information is excepted from the requirements of Section 552.021 if it is information contained in a military discharge record.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if:

(1) the information is:

(A) information relevant to a claim or litigation between a veteran or a veteran's heirs, executors, or administrators and the veteran's employer, school, or lender;

(B) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department concerning the veterans' military service, if the veteran is deceased;

(C) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran has given written consent to the release of the information;

(D) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran is:

(i) a patient or resident of a state or federal hospital, nursing home, or other facility for veterans or persons with disabilities;

(ii) a veteran who is a recipient of a state or federal benefit for veterans or persons with disabilities;

(iii) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(iv) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(v) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(vi) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(vii) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(E) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if:

(i) the veteran is deceased;

(ii) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department has given written consent to the release of the information;

(iii) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate; and

(iv) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate.

(2) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for:

(A) a purpose relating to the veterans' military service;

(B) a purpose relating to the veterans' discharge or separation from military service;

(C) a purpose relating to a benefit or potential benefit for veterans or persons with disabilities;

(D) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(E) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(F) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(G) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(H) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(3) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for any purpose if the veteran has been deceased for at least five years.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2007, 80th Leg., ch. 1, eff. Sept. 1, 2007.

Sec. 552.141. EXCEPTION: INFORMATION RELATED TO ROADWAY OR HIGHWAY PROJECT. (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the location of a future public building, military facility, or communications facility, if the governmental body determines that disclosure of the information would:

(1) interfere with the acquisition of real property for the building or facility; or

(2) increase the cost of acquiring the property.

(b) Information is excepted from the requirements of Section 552.021 if it is a transcript from an institution of higher education maintained in the institution's ordinary course of business that pertains to a student who is currently enrolled in the institution or who was enrolled in the institution when the event or occurrence on which the transcript is based took place.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.142. EXCEPTION: LITIGATION OR ARBITRAGE NEGOTIATIONS CONCERNING THE STATE OR A POLITICAL SUBDIVISION. (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the litigation or arbitrage negotiations of the state or a political subdivision, or a component of the political subdivision, if it is information that has been or is expected to be requested by a person or entity in a matter of litigation with the state or a political subdivision, or a component of the political subdivision, or in an arbitrage negotiation.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if the information is part of a contract or agreement, or a contract or agreement is expected to result from the information, and the contract or agreement has been executed or the applicable stages of negotiations have reached a point at which the governmental body determines will qualify as a contract or agreement.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.143. EXCEPTION: INFORMATION PROTECTED BY PRIVATE SECURITY LICENSING AUTHORITY. (a) Information is excepted from the requirements of Section 552.021 if it is information in the possession of the private security licensing authority created by Chapter 1702, Occupations Code, or a comparable agency of another state or federal jurisdiction, if the information is:

(1) information that deals with the mental or physical condition, or alleged mental or physical condition, of any person licensed or certified by the private security licensing authority;

(2) information that deals with the medical, psychological, or psychiatric treatment of any person licensed or certified by the private security licensing authority;

(3) information that deals with the identity of a person who files a complaint with the private security licensing authority or who is the victim of or witness to a crime or other incident that results in the issuance of a license or certificate by the private security licensing authority, if:

(A) a complaint or other record representing the crime or alleged crime or of the incident or alleged incident is pending before the private security licensing authority; or

(B) the private security licensing authority determines that disclosure of the information would interfere with the prevention or detection of a crime or would interfere with an investigation of a crime or other incident by any law enforcement or prosecutorial agency.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if the information is:

(1) information relating to an incident that:

(A) is not part of a pending criminal or civil action or proceeding;

(B) has been reported in a manner that identifies the licensee or certificate holder who was involved in the incident;

(C) has been closed for at least six months because:

(i) the incident was reported to the private security licensing authority more than six months after the incident occurred;

(ii) the private security licensing authority determines that disclosure of the information would not interfere with the prevention or detection of a crime or with an investigation of a crime or other incident by any law enforcement or prosecutorial agency;

(iii) the private security licensing authority has completed its investigation of the incident and does not intend to conduct further investigation of the incident; or

(iv) the statute of limitations for the filing of a criminal complaint concerning the incident has expired; and

(D) does not disclose the identity of a person who files a complaint with the private security licensing authority or who is the victim of or witness to a crime or other incident that results in the issuance of a license or certificate by the private security licensing authority;

(2) a complaint or other record representing a crime or alleged crime or an incident or alleged incident that has been closed because the private security licensing authority has completed its investigation of the crime or incident and does not intend to conduct further investigation of the crime or incident;

(3) information that deals with the identity of a person who files a complaint with the private security licensing authority or who is the victim of or witness to a crime or other incident that results in the issuance of a license or certificate by the private security licensing authority, if:

(A) the private security licensing authority determines that disclosure of the information would not interfere with the prevention or detection of a crime or would not interfere with an investigation of a crime or other incident by any law enforcement or prosecutorial agency; and

(B) the person:

(i) is deceased;

(ii) gives to the private security licensing authority written consent to the release of the person's identity;

(iii) is the victim of a crime that has been adjudicated or for which all criminal and juvenile justice rights of the person have been extinguished by the expiration of a statute of limitations; or

(iv) is a peace officer or other employee of a law enforcement agency who was acting in the performance of the officer's or employee's duties when the officer or employee was the victim of or witness to the crime or other incident;

(4) information that deals with the identity of a person who is the victim of or witness to a crime or other incident that results in the issuance of a license or certificate by the private security licensing authority, if:

(A) the person:

(i) is deceased;

(ii) gives to the private security licensing authority written consent to the release of the person's identity;

(iii) is the victim of a crime that has been adjudicated or for which all criminal and juvenile justice rights of the person have been extinguished by the expiration of a statute of limitations; or

(iv) is a peace officer or other employee of a law enforcement agency who was acting in the performance of the officer's or employee's duties when the officer or employee was the victim of or witness to the crime or other incident; and

(B) the private security licensing authority determines that disclosure of the information would not interfere with the prevention or detection of a crime or would not interfere with an investigation of a crime or other incident by any law enforcement or prosecutorial agency.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.144. EXCEPTION: WORKING DRAFT. (a) Working papers, memoranda, and other similar supporting information are excepted from the requirements of Section 552.021 if the governmental body demonstrates that release of the information would harm the governmental body's ability to effectively carry out the decision-making process to which the information pertains.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if:

(1) the information is:

(A) information relevant to a claim or litigation between a veteran or a veteran's heirs, executors, or administrators and the veteran's employer, school, or lender;

(B) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department concerning the veterans' military service, if the veteran is deceased;

(C) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran has given written consent to the release of the information;

(D) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran is:

(i) a patient or resident of a state or federal hospital, nursing home, or other facility for veterans or persons with disabilities;

(ii) a veteran who is a recipient of a state or federal benefit for veterans or persons with disabilities;

(iii) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(iv) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(v) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(vi) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(vii) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(E) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if:

(i) the veteran is deceased;

(ii) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department has given written consent to the release of the information;

(iii) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate; and

(iv) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate.

(2) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for:

(A) a purpose relating to the veterans' military service;

(B) a purpose relating to the veterans' discharge or separation from military service;

(C) a purpose relating to a benefit or potential benefit for veterans or persons with disabilities;

(D) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(E) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(F) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(G) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(H) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(3) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for any purpose if the veteran has been deceased for at least five years.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.145. EXCEPTION: INFORMATION RELATED TO ROADWAY OR HIGHWAY PROJECT. (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the location of a future public building, military facility, or communications facility, if the governmental body determines that disclosure of the information would:

(1) interfere with the acquisition of real property for the building or facility; or

(2) increase the cost of acquiring the property.

(b) Information is excepted from the requirements of Section 552.021 if it is a transcript from an institution of higher education maintained in the institution's ordinary course of business that pertains to a student who is currently enrolled in the institution or who was enrolled in the institution when the event or occurrence on which the transcript is based took place.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.146. EXCEPTION: LITIGATION OR ARBITRAGE NEGOTIATIONS CONCERNING THE STATE OR A POLITICAL SUBDIVISION. (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the litigation or arbitrage negotiations of the state or a political subdivision, or a component of the political subdivision, if it is information that has been or is expected to be requested by a person or entity in a matter of litigation with the state or a political subdivision, or a component of the political subdivision, or in an arbitrage negotiation.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if the information is part of a contract or agreement, or a contract or agreement is expected to result from the information, and the contract or agreement has been executed or the applicable stages of negotiations have reached a point at which the governmental body determines will qualify as a contract or agreement.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.147. EXCEPTION: SOCIAL SECURITY NUMBER. (a) Information is excepted from the requirements of Section 552.021 if it is information that consists of or contains a social security number or other number assigned to a person by the Texas Department of Public Safety.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if the information is:

(1) information relevant to a claim or litigation between a veteran or a veteran's heirs, executors, or administrators and the veteran's employer, school, or lender;

(2) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department concerning the veterans' military service, if the veteran is deceased;

(3) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran has given written consent to the release of the information;

(4) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran is:

(A) a patient or resident of a state or federal hospital, nursing home, or other facility for veterans or persons with disabilities;

(B) a veteran who is a recipient of a state or federal benefit for veterans or persons with disabilities;

(C) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(D) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(E) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(F) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(G) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(5) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if:

(A) the veteran is deceased;

(B) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department has given written consent to the release of the information;

(C) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate; and

(D) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate.

(6) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for:

(A) a purpose relating to the veterans' military service;

(B) a purpose relating to the veterans' discharge or separation from military service;

(C) a purpose relating to a benefit or potential benefit for veterans or persons with disabilities;

(D) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(E) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(F) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(G) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(H) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(7) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for any purpose if the veteran has been deceased for at least five years.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.148. EXCEPTION: DOCUMENTS OF A PEACE OFFICER, FORMER PEACE OFFICER, FORMER JUDGE, FORMER PROSECUTOR, AND FORMERLY ELECTED PERSONNEL. (a) Information is excepted from the requirements of Section 552.021 if it is information that consists of or contains the following records of a peace officer, a former peace officer, a judge, a prosecutor, or a former elected member of the following groups or their immediate family members or household members:

(1) home addresses, home telephone numbers, emergency telephone numbers, social security numbers, and information that reveals whether the individual has family members;

(2) information that reveals the identity of persons who file complaints with a governmental body that employs the individual or with a law enforcement agency that employs the individual;

(3) information that reveals the identity of the individual's children;

(4) information that reveals the identity of a person who is a victim of crime or who has been arrested but not yet convicted of a crime;

(5) information that reveals the identity of a person who is a witness to a crime or to an alleged criminal activity;

(6) information that reveals the identity of a person who is the subject of a complaint that is pending at the time of the request for information;

(7) information that reveals the identity of a person who is the subject of a complaint that has been dismissed or for which the statute of limitations has run;

(8) video recordings of the conduct of the peace officer or other employee of a law enforcement agency in the performance of the officer's or employee's duties if the conduct is the subject of a complaint that is pending at the time of the request for information;

(9) a personal financial statement or similar document submitted to a governmental body by an applicant for employment with the governmental body if the information is not relevant to the performance of the duties of an employee of the governmental body;

(10) a personal financial statement or similar document required by a governmental body to be maintained or submitted by an employee of the governmental body to evaluate the performance of the employee or to the extent the information is relevant to and used for a determination of the value of a project in which the governmental body will participate through the provision of money or services;

(11) a personal financial statement or similar document required by a governmental body to be maintained or submitted by a person who contracts with or seeks to contract with the governmental body to the extent the information is relevant to and used for a determination of the person's ability to perform the contract or the value of the person's services under the contract;

(12) information that would enable a law enforcement agency to locate a vehicle that is in the possession of a person who is a victim of crime or who has been arrested but not yet convicted of a crime;

(13) information that would enable a law enforcement agency to locate a witness to a crime or to an alleged criminal activity;

(14) information that would enable a law enforcement agency to locate a person who is the subject of a complaint that is pending at the time of the request for information;

(15) information that would enable a law enforcement agency to locate a person who is the subject of a complaint that has been dismissed or for which the statute of limitations has run;

(16) information that would enable a law enforcement agency to locate a person who is the subject of a complaint that is pending at the time of the request for information if the information is requested by a person who is not a party to a civil or criminal litigation or proceeding before a court in which the person who is the subject of the complaint is a party;

(17) information that would enable a law enforcement agency to locate a person who is the subject of a complaint that has been dismissed or for which the statute of limitations has run if the information is requested by a person who is not a party to a civil or criminal litigation or proceeding before a court in which the person who is the subject of the complaint is a party;

(18) information that would enable a law enforcement agency to locate a witness to a crime or to an alleged criminal activity if the information is requested by a person who is not a party to a civil or criminal litigation or proceeding before a court in which the witness is a party or may be called as a witness;

(19) information that would enable a law enforcement agency to locate a witness to a crime or to an alleged criminal activity if:

(A) a criminal or civil action or proceeding or an investigation in anticipation of a civil or criminal action or proceeding is pending at the time of the request for information; and

(B) the information is requested by a person who is a party to the civil or criminal action or proceeding or a person acting on behalf of a party to the civil or criminal action or proceeding.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if the information is:

(1) information relevant to a claim or litigation between a veteran or a veteran's heirs, executors, or administrators and the veteran's employer, school, or lender;

(2) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department concerning the veterans' military service, if the veteran is deceased;

(3) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran has given written consent to the release of the information;

(4) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran is:

(A) a patient or resident of a state or federal hospital, nursing home, or other facility for veterans or persons with disabilities;

(B) a veteran who is a recipient of a state or federal benefit for veterans or persons with disabilities;

(C) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(D) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(E) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(F) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(G) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(5) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if:

(A) the veteran is deceased;

(B) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department has given written consent to the release of the information;

(C) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate; and

(D) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate.

(6) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for:

(A) a purpose relating to the veterans' military service;

(B) a purpose relating to the veterans' discharge or separation from military service;

(C) a purpose relating to a benefit or potential benefit for veterans or persons with disabilities;

(D) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(E) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(F) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(G) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(H) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(7) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for any purpose if the veteran has been deceased for at least five years.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.149. EXCEPTION: RECORDS OF DECEDENTS. (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the death of a person if the governmental body to which the request for information is addressed has:

(1) not been provided with a death certificate or other evidence sufficient to show that the person is deceased;

(2) reason to believe that the person is not deceased;

(3) reason to believe that the person's death was caused by or was the result of an act or omission that is the subject of a criminal or civil investigation or proceeding; or

(4) reason to believe that the person's death was caused by or was the result of an act or omission that is the subject of an investigation by a governmental body.

(b) Information that is excepted from the requirements of Section 552.021 is not excepted from the requirements of Section 552.022 if the information is:

(1) information relevant to a claim or litigation between a veteran or a veteran's heirs, executors, or administrators and the veteran's employer, school, or lender;

(2) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department concerning the veterans' military service, if the veteran is deceased;

(3) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran has given written consent to the release of the information;

(4) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if the veteran is:

(A) a patient or resident of a state or federal hospital, nursing home, or other facility for veterans or persons with disabilities;

(B) a veteran who is a recipient of a state or federal benefit for veterans or persons with disabilities;

(C) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(D) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(E) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(F) a veteran who is a recipient of a state or federal benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(G) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(5) information requested by a veterans' organization, a veterans' service officer, a veterans' service officer of a political subdivision, or a veterans' service officer of a state agency or department if:

(A) the veteran is deceased;

(B) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department has given written consent to the release of the information;

(C) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate; and

(D) the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department is a beneficiary of the veteran's will or estate.

(6) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for:

(A) a purpose relating to the veterans' military service;

(B) a purpose relating to the veterans' discharge or separation from military service;

(C) a purpose relating to a benefit or potential benefit for veterans or persons with disabilities;

(D) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's eligibility for the benefit;

(E) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the amount of the benefit;

(F) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for the benefit;

(G) a purpose relating to a benefit or potential benefit for which the veteran's military service is a factor in determining the veteran's qualification for or amount of a state or federal tax exemption, credit, or deduction; or

(H) any other confinement of the veteran by the Texas Department of Criminal Justice or its predecessor; or

(7) the information is requested by the veterans' organization, veterans' service officer, veterans' service officer of a political subdivision, or veterans' service officer of a state agency or department for any purpose if the veteran has been deceased for at least five years.

Added by Acts 1995, 74th Leg., ch. 765, Sec. 1, eff. Sept. 1, 1995. Amd. by Acts 2005, 79th Leg., ch. 291, eff. June 1, 2007. Amd. by Acts 2009, 81st Leg., ch. 1, eff. Sept. 1, 2009.

Sec. 552.150. EXCEPTION: INFORMATION PERTAINING TO PROTECTED PROCEEDINGS OF COMMITTEE OF PHYSICIANS, HOSPITALS, AND PEER REVIEW ORGANIZATIONS. (a) This section applies only to:

(1) a hospital or hospital district created under a special law;

(2) a hospital or hospital district created under a general law or a hospital authority created under a general law;

(3) a hospital or hospital district created by a home rule municipality;

(4) a hospital or hospital district created by a county or municipality without a property tax;

(5) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law;

(6) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district;

(7) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for less than three years;

(8) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district for the preceding year;

(9) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district for the preceding year;

(10) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district for the preceding year;

(11) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district for the preceding year;

(12) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district for the preceding year;

(13) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district for the preceding year;

(14) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district for the preceding year;

(15) a hospital or hospital district created by a county or municipality without property tax collections included in the annual ad valorem tax levy or other property tax levy authorized by law for the operation of a hospital or hospital district if the hospital or hospital district has been in operation for more than three years but has not received property tax collections included in the annual ad valorem tax levy or other property tax

Added by Acts 2015, 79th Leg., R.S., Ch. 947, Sec. 1.07(a), eff. June 1, 2015. Amended by Acts 2015, 79th Leg., R.S., Ch. 947, Sec. 1.07, eff. June 20, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.01, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.02, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.03, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.04, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.05, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.06, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.07, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.08, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.09, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.10, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.11, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.12, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.13, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.14, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.15, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.16, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.17, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.18, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.19, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.20, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.21, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.22, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.23, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.24, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.25, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.26, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.27, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.28, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.29, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.30, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.31, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.32, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.33, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.34, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.35, eff. Jan. 12, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.36, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.37, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.38, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.39, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.40, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.41, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.42, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.43, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.44, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.45, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.46, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.47, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.48, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.49, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.50, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.51, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.52, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.53, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.54, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.55, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.56, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.57, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.58, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.59, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.60, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.61, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.62, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.63, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.64, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.65, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.66, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.67, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.68, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.69, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.70, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.71, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.72, eff. May 24, 2015.
Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.73, eff. May 24, 2015.

Sec. 552.101. INFORMATION CONFIDENTIAL BY OTHER INFORMATION RULES OF STATE LAW. (a) Information maintained under Chapter 81 is confidential and may not be released except as provided by Chapter 81.

(b) Information maintained under Chapter 161, Health and Safety Code, is confidential and may not be released except as provided by Section 161.032:

(1) relative to the home address, home telephone number, electronic mail address, social security number, date of birth, driver's license number, emergency contact information, and information that reveals whether an employee has family members, regardless of whether the employee has elected under Section 552.024 or 552.1175 to withhold such information from public disclosure;

(2) disclosure filed with a county clerk and all documents filed with a district clerk are exempt from this section.

(3) information relating to the home address, home telephone number, emergency contact information, date of birth, and social security number, membership status, or participation in group benefits of a peace officer or a peace officer's family member participating in such a program;

(4) to the extent of any conflict, this section prevails over another law that authorizes or requires the release of information maintained by the department of public safety.

Added by Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.74, eff. June 1, 2015.

Sec. 552.102. INFORMATION CONFIDENTIAL BY STATUTE. (a) Information is confidential if:

(1) it is information:

Added by Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.75, eff. June 1, 2015.

(2) it is information:

Added by Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 1.76, eff. June 1, 2015.

Sec. 552.103. CONFIDENTIALITY OF CERTAIN INFORMATION RELATING TO ATTORNEY GENERAL'S LITIGATION DEFENSE. (a) In this section, "License" means a license, certificate, permit, or other authorization issued by a governmental body.

(b) Information is excepted from the requirement of Section 552.021 if it is:

(1) information that relates to the development of a proposal to engage in litigation or settlement negotiations, or performance, or payment of, a contract for legal services by a governmental body or an attorney representing a governmental body under the terms of a contract for legal services with a governmental body, if:

(A) the information is:

(i) a litigation expenditure;

(ii) a fee, expense, or other charge relating to litigation, attorney's fees, attorney's expenses, social security number, date of birth, driver's license number, emergency contact information, and information that reveals whether an employee has family members, regardless of whether the employee has elected under Section 552.024 or 552.1175 to withhold such information from public disclosure;

(B) an applicant for a license issued by the governmental body;

(C) a licensee of the governmental body;

(D) a spouse or family member of an applicant or licensee;

(E) a business association, corporation, or other business entity in which an applicant or licensee is a shareholder, partner, or owner;

(F) information that does not have to be disclosed or accessed from regulatory public disclosure that lawyer, license holder, or license status of an applicant for or holder of a license issued by the State Bar of Texas under Chapter 81, Government Code, or Chapter 161, Health and Safety Code, or information that is confidential under Section 161.032, Health and Safety Code, or information that is confidential under Section 81.0699, Health and Safety Code, or information that is confidential under Section 552.1175 of this code;

(G) information that is confidential under Section 161.032, Health and Safety Code;

(H) information that is confidential under Section 81.0699, Health and Safety Code;

(I) information that is confidential under Section 552.1175 of this code;

(J) information that is confidential under Section 161.032, Health and Safety Code;

(K) information that is confidential under Section 81.0699, Health and Safety Code;

(L) information that is confidential under Section 552.1175 of this code;

(M) information that is confidential under Section 161.032, Health and Safety Code;

(N) information that is confidential under Section 81.0699, Health and Safety Code;

(O) information that is confidential under Section 552.1175 of this code;

(P) information that is confidential under Section 161.032, Health and Safety Code;

(Q) information that is confidential under Section 81.0699, Health and Safety Code;

(R) information that is confidential under Section 552.1175 of this code;

(S) information that is confidential under Section 161.032, Health and Safety Code;

(T) information that is confidential under Section 81.0699, Health and Safety Code;

(U) information that is confidential under Section 552.1175 of this code;

(V) information that is confidential under Section 161.032, Health and Safety Code;

(W) information that is confidential under Section 81.0699, Health and Safety Code;

(X) information that is confidential under Section 552.1175 of this code;

(Y) information that is confidential under Section 161.032, Health and Safety Code;

(Z) information that is confidential under Section 81.0699, Health and Safety Code;

(AA) information that is confidential under Section 552.1175 of this code;

(BB) information that is confidential under Section 161.032, Health and Safety Code;

(CC) information that is confidential under Section 81.0699, Health and Safety Code;

(DD) information that is confidential under Section 552.1175 of this code;

(EE) information that is confidential under Section 161.032, Health and Safety Code;

(FF) information that is confidential under Section 81.0699, Health and Safety Code;

(GG) information that is confidential under Section 552.1175 of this code;

(HH) information that is confidential under Section 161.032, Health and Safety Code;

(II) information that is confidential under Section 81.0699, Health and Safety Code;

(JJ) information that is confidential under Section 552.1175 of this code;

(KK) information that is confidential under Section 161.032, Health and Safety Code;

(LL) information that is confidential under Section 81.0699, Health and Safety Code;

(MM) information that is confidential under Section 552.1175 of this code;

(NN) information that is confidential under Section 161.032, Health and Safety Code;

(OO) information that is confidential under Section 81.0699, Health and Safety Code;

(PP) information that is confidential under Section 552.1175 of this code;

(QQ) information that is confidential under Section 161.032, Health and Safety Code;

(RR) information that is confidential under Section 81.0699, Health and Safety Code;

(SS) information that is confidential under Section 552.1175 of this code;

(TT) information that is confidential under Section 161.032, Health and Safety Code;

(UU) information that is confidential under Section 81.0699, Health and Safety Code;

(VV) information that is confidential under Section 552.1175 of this code;

(WW) information that is confidential under Section 161.032, Health and Safety Code;

(XX) information that is confidential under Section 81.0699, Health and Safety Code;

(YY) information that is confidential under Section 552.1175 of this code;

(ZZ) information that is confidential under Section 161.032, Health and Safety Code;

(AAA) information that is confidential under Section 81.0699, Health and Safety Code;

(BBB) information that is confidential under Section 552.1175 of this code;

(CCC) information that is confidential under Section 161.032, Health and Safety Code;

(DDD) information that is confidential under Section 81.0699, Health and Safety Code;

(EEE) information that is confidential under Section 552.1175 of this code;

(FFF) information that is confidential under Section 161.032, Health and Safety Code;

(GGG) information that is confidential under Section 81.0699, Health and Safety Code;

(HHH) information that is confidential under Section 552.1175 of this code;

(III) information that is confidential under Section 161.032, Health and Safety Code;

(JJJ) information that is confidential under Section 81.0699, Health and Safety Code;

(KKK) information that is confidential under Section 552.1175 of this code;

(LLL) information that is confidential under Section 161.032, Health and Safety Code;

(MMM) information that is confidential under Section 81.0699, Health and Safety Code;

(NNN) information that is confidential under Section 552.1175 of this code;

(OOO) information that is confidential under Section 161.032, Health and Safety Code;

(PPP) information that is confidential under Section 81.0699, Health and Safety Code;

(QQQ) information that is confidential under Section 552.1175 of this code;

(RRR) information that is confidential under Section 161.032, Health and Safety Code;

(SSS) information that is confidential under Section 81.0699, Health and Safety Code;

(TTT) information that is confidential under Section 552.1175 of this code;

(UUU) information that is confidential under Section 161.032, Health and Safety Code;

(VVV) information that is confidential under Section 81.0699, Health and Safety Code;

(WWW) information that is confidential under Section 552.1175 of this code;

(XXX) information that is confidential under Section 161.032, Health and Safety Code;

(YYY) information that is confidential under Section 81.0699, Health and Safety Code;

(ZZZ) information that is confidential under Section 552.1175 of this code;

(AAAA) information that is confidential under Section 161.032, Health and Safety Code;

(BBBB) information that is confidential under Section 81.0699, Health and Safety Code;

(CCCC) information that is confidential under Section 552.1175 of this code;

(DDDD) information that is confidential under Section 161.032, Health and Safety Code;

(EEEE) information that is confidential under Section 81.0699, Health and Safety Code;

(FFFF) information that is confidential under Section 552.1175 of this code;

(GGGG) information that is confidential under Section 161.032, Health and Safety Code;

(HHHH) information that is confidential under Section 81.0699, Health and Safety Code;

(IIII) information that is confidential under Section 552.1175 of this code;

(JJJJ) information that is confidential under Section 161.032, Health and Safety Code;

(KKKK) information that is confidential under Section 81.0699, Health and Safety Code;

(LLLL) information that is confidential under Section 552.1175 of this code;

(MMMM) information that is confidential under Section 161.032, Health and Safety Code;

(NNNN) information that is confidential under Section 81.0699, Health and Safety Code;

(OOOO) information that is confidential under Section 552.1175 of this code;

(PPPP) information that is confidential under Section 161.032, Health and Safety Code;

(QQQQ) information that is confidential under Section 81.0699, Health and Safety Code;

(RRRR) information that is confidential under Section 552.1175 of this code;

(SSSS) information that is confidential under Section 161.032, Health and Safety Code;

(TTTT) information that is confidential under Section 81.0699, Health and Safety Code;

(UUUU) information that is confidential under Section 552.1175 of this code;

(VVVV) information that is confidential under Section 161.032, Health and Safety Code;

(WWWW) information that is confidential under Section 81.0699, Health and Safety Code;

(XXXX) information that is confidential under Section 552.1175 of this code;

(YYYY) information that is confidential under Section 161.032, Health and Safety Code;

(ZZZZ) information that is confidential under Section 81.0699, Health and Safety Code;

(AAAAA) information that is confidential under Section 552.1175 of this code;

(BBBBB) information that is confidential under Section 161.032, Health and Safety Code;

(CCCCC) information that is confidential under Section 81.0699, Health and Safety Code;

(DDDDD) information that is confidential under Section 552.1175 of this code;

(EEEEE) information that is confidential under Section 161.032, Health and Safety Code;

(FFFFF) information that is confidential under Section 81.0699, Health and Safety Code;

(GGGGG) information that is confidential under Section 552.1175 of this code;

(HHHHH) information that is confidential under Section 161.032, Health and Safety Code;

(IIIII) information that is confidential under Section 81.0699, Health and Safety Code;

(JJJJJ) information that is confidential under Section 552.1175 of this code;

(KKKKK) information that is confidential under Section 161.032, Health and Safety Code;

(LLLLL) information that is confidential under Section 81.0699, Health and Safety Code;

(MMMMM) information that is confidential under Section 552.1175 of this code;

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2004-2005; (c) for the design, operation, or defense of a computer network.

(2) Information shall be withheld under this section if:

(a) Disclosure of information would result in a substantial and direct threat to:

(1) Any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system controls meet generally accepted standards for computer security or security for electronic data or information systems or other computer, computer program, network, or system security standards established by state agencies or nationally recognized organizations or certification bodies or certification or accreditation by certification or accreditation bodies or standards, design, intent, or interpretation consistent with these standards;

(2) Any computer, computer program, network, or information hardware or software or operation of a government body; and

(3) Computer or telecommunications network or infrastructure of a government body including but not limited to a computer or computer security system, including information contained in or derived from an information security log; or

(b) Disclosure would compromise the security of information technology assets or systems being or derived from services 701.024, Business Continuity and Disaster Recovery Planning.

(3) Information shall be withheld under this section if disclosure would result in a substantial and direct threat to the security of a government body or government body employees that providing the information is necessary for the bodies to provide an account, a disclosure under this subsection is not a waiver of any privilege or protection that the government body may assert.

(4) Information shall be withheld under this section if disclosure would compromise the security of a government body or government body employees by compromising the security of any government body or government body employees' computer, telecommunications, or network or infrastructure.

(5) In response and the preservation of proper jurisdiction, the following provisions may require the following discharge record or extract from the government body's computer, network, or system to be provided:

(a) Upon request, the extract of the record shall be provided:

(b) Upon proof of the records:

(c) Upon proof of the extract of the records or, if there is no living spouse, child, or parent, the lawful living relative of the deceased:

(d) Upon proof of the extract of the records:

(e) The person named by the testator, or by a person described in Subsection (1), (2), or (3), or an appropriate power of attorney executed in accordance with Section 412.028 of the Kentucky Revised Statutes:

(f) Upon proof of the extract of the records:

(g) An authorized representative of the funeral home that assists with the burial of the decedent.

(6) Upon request, the extract of the record shall be provided to the person who is the subject of the disclosure of the information and the purpose for which the information has been requested.

(7) Upon request, the extract of the record shall be provided if the government body's use and disclosure of the information by the purpose for which the information was obtained.

(8) Sections 1-1-1, 1-1-2, 1-1-3, 1-1-4, 1-1-5, 1-1-6, 1-1-7, 1-1-8, 1-1-9, 1-1-10, 1-1-11, 1-1-12, 1-1-13, 1-1-14, 1-1-15, 1-1-16, 1-1-17, 1-1-18, 1-1-19, 1-1-20, 1-1-21, 1-1-22, 1-1-23, 1-1-24, 1-1-25, 1-1-26, 1-1-27, 1-1-28, 1-1-29, 1-1-30, 1-1-31, 1-1-32, 1-1-33, 1-1-34, 1-1-35, 1-1-36, 1-1-37, 1-1-38, 1-1-39, 1-1-40,

contributed to power or purchase.

(3) "Contract" means any agreement or contract or arrangement or lease the individual's personal utility or the use or accuracy of or loss from any equipment or facility furnished or any service performed or any goods sold or any other thing given or furnished or any other service or thing done or performed.

Added by Acts 1975, Ved ch. 295, Sec. 1, eff. Sept. 1, 1975.

Sec. 101.002. PURPOSE OF CHAPTER. (a) This chapter is a remedial statute for PUBLIC INFORMATION. (b) A governmental body may participate in statewide voluntary procedures under which public information may be inspected and copied efficiently, safely, and without delay.

(c) It is the intent of the legislature that this chapter be liberally construed in order to implement the purposes of this section.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 101.003. RIGHT TO INFORMATION. (a) Subject to the provisions of this chapter, a person has the right to inspect and copy public information.

(b) Subject to the provisions of this chapter, a person has the right to receive a copy of public information that is reproducible in the ordinary course of business on paper or photographic film or other similar material.

(c) Subject to the provisions of this chapter, a person has the right to receive a copy of public information that is not reproducible in the ordinary course of business in the medium in which it is maintained if:

(1) compliance with the request is not unduly burdensome or interferes with the regular operations of the governmental body from which the information is requested;

(2) the requestor agrees to pay the cost of the production of the information in the medium requested in accordance with the rules adopted by the attorney general under this chapter;

(3) a statement that the information is not available in the requested form;

(4) a description of the information that is available in a different form;

(5) a description of the manner in which the information is maintained;

(6) a statement of the estimated cost of providing the information in the requested form, as determined in accordance with the rules established by the attorney general under this chapter.

(d) Subject to the provisions of this chapter, a person has the right to receive information from a governmental body in electronic form if the information is requested in electronic form and the governmental body has the ability to produce the information in electronic form. The governmental body may not be additional to bear the present or future costs of the governmental body given written notice to the requestor, written or electronic, of the cost of the production of information in electronic form.

(e) In providing information in electronic form, a governmental body is not required to provide information in a format that is different from the format in which the information is maintained, but shall provide the information in the requested form or in the form in which it is reasonable access either if the requestor states in writing to the requestor that the requestor has the ability to access information in the form in which it is maintained, or if the requestor states in writing that the requestor has the ability to access information in a different form and the governmental body agrees to provide information in that form. The governmental body may require a requestor to pay in advance the cost of providing the information in accordance with this chapter.

(f) Information that is provided in response to a request under this section, or that is made available for inspection or copying in response to a request under this section, is presumed to have been furnished to the requestor or offered to be furnished to the requestor in the form in which it is maintained.

(g) The office for public information of a governmental body shall establish procedures that assure the expeditious and accurate processing of requests for information in electronic form. The procedures must include a method for a requestor to determine the cost of or estimate the cost of a request for information in electronic form.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 1, eff. Sept. 1, 1995.
Acts 2005, 79th Leg., Ch. 329 (S.B. 721), Sec. 1, eff. September 1, 2005.
Acts 2007, 80th Leg., R.S., Ch. 1373 (S.B. 364), Sec. 1, eff. September 1, 2007.
Acts 2009, 81st Leg., R.S., Ch. 1420 (H.B. 2004), Sec. 1, eff. September 1, 2009.

Sec. 101.004. REFERENCE TO REPUTATION OF GOVERNMENT BODIES. (a) A governmental body shall maintain that a requestor has made a request for information in accordance with this chapter unless it has been granted relief by a court, but the governmental body may not be required to litigate the question of whether a requestor should receive the requested information. Unless the requestor is a person or representative of a person listed in Section 552.028, information held by a governmental body pursuant to a request for information may not be withheld from any person on a showing that some other person is the requestor.

(b) Only persons who are governmental bodies may find functioning the information or making the information available to the requestor under the provisions of this section.

(c) Information that is made available to a person under this section or that is made available for inspection or copying to a person shall be made available to the requestor equally in accordance with the request.

(d) Information that is made available under Subsection (c) or that is part of the open information, or, applicable, were previously included in the requestor's request, or is information that a governmental body has previously furnished to any requestor or offered to furnish is:

(1) a description of the information for which copies have been previously furnished or made available to the requestor;

(2) the date the information was first produced in response to a request for information or made available for inspection;

(3) the number of requests for information with which the governmental body complied in the preceding calendar year;

(4) a certification that no subsequent additions, deletions, or corrections have been made to the information; and

(5) the cost, if any, charged to the requestor for the information in accordance with this chapter.

(e) A request for information from a governmental body by a requestor who has previously requested information from the governmental body is not a request for information under this chapter if the information requested is substantially the same as the information previously furnished to the requestor or offered to be furnished to the requestor.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 2, eff. Sept. 1, 1995.
Acts 2005, 79th Leg., Ch. 329 (S.B. 721), Sec. 1, eff. September 1, 2005.
Acts 2009, 81st Leg., R.S., Ch. 1420 (H.B. 2004), Sec. 1, eff. September 1, 2009.

Sec. 101.005. PROCEDURES TO REDUCE COSTS. (a) A governmental body may establish procedures that assure the efficient and economical processing of requests for information in accordance with this chapter, including procedures that:

(1) compliance with the request is not unduly burdensome or interferes with the regular operations;

(2) the requestor agrees to pay the cost of the production of the information in the medium requested in accordance with the rules established by the attorney general under this chapter;

(3) a statement that the information is not available in the requested form;

(4) a description of the information that is available in a different form;

(5) a description of the manner in which the information is maintained;

(6) a statement of the estimated cost of providing the information in the requested form, as determined in accordance with the rules established by the attorney general under this chapter.

(b) Subject to the provisions of this chapter, a person has the right to receive information from a governmental body in electronic form if the information is requested in electronic form and the governmental body has the ability to produce the information in electronic form. The governmental body may not be additional to bear the present or future costs of the governmental body given written notice to the requestor, written or electronic, of the cost of the production of information in electronic form.

(c) In providing information in electronic form, a governmental body is not required to provide information in a format that is different from the format in which the information is maintained but shall provide the information in the requested form or in the form in which it is reasonable access if the requestor states in writing to the requestor that the requestor has the ability to access information in the form in which it is maintained, or if the requestor states in writing that the requestor has the ability to access information in a different form and the governmental body agrees to provide information in that form. The governmental body may require a requestor to pay in advance the cost of providing the information in accordance with this chapter.

(d) Information that is provided in response to a request under this section, or that is made available for inspection or copying in response to a request under this section, is presumed to have been furnished to the requestor or offered to be furnished to the requestor in the form in which it is maintained.

(e) The office for public information of a governmental body shall establish procedures that assure the expeditious and accurate processing of requests for information in electronic form. The procedures must include a method for a requestor to determine the cost of or estimate the cost of a request for information in electronic form.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 3, eff. Sept. 1, 1995.
Acts 2005, 79th Leg., Ch. 329 (S.B. 721), Sec. 1, eff. September 1, 2005.
Acts 2007, 80th Leg., R.S., Ch. 1373 (S.B. 364), Sec. 1, eff. September 1, 2007.
Acts 2009, 81st Leg., R.S., Ch. 1420 (H.B. 2004), Sec. 1, eff. September 1, 2009.

Sec. 101.006. REFUSAL OF REQUEST. (a) A governmental body may refuse to provide information to a requestor if the information requested is not in the possession of the governmental body or the governmental body does not have the information in its possession or control.

(b) A governmental body that refuses to request the applicability of the requirements of this chapter to the governmental body must submit notice to the requestor, written or electronic, of the cost of the production of information in electronic form.

(c) The notice of the refusal of a request for information under this section must include a description of the information requested and a statement of the estimated cost of providing the information in the requested form.

(d) A governmental body that refuses to request the applicability of the requirements of this chapter to the governmental body may not be additional to provide information to the requestor in the form requested.

(e) The office of the attorney general may continuously post on the internet website of the office such notice submitted to the office under this section, and shall post such notice on request of any person who is a requestor of information.

(f) The office of the attorney general may adopt rules to implement this section.

(g) Notwithstanding Section 552.021, a governmental body is not required to provide information in electronic form if the information requested is not in electronic form.

(h) The notice required by this section may be provided by a governmental body in electronic form.

(i) The notice required by this section may be provided by a governmental body in electronic form if the information requested is not in electronic form.

(j) The notice required by this section may be provided by a governmental body in electronic form if the information requested is not in electronic form.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1420 (H.B. 2004), Sec. 1, eff. September 1, 2013.

Sec. 101.007. METHOD OF REQUEST. (a) A person may make a written request for public information under this chapter.

(b) A person may make a request for information under this chapter by electronic mail if the information requested is in a format that is readily accessible by electronic means.

(c) Notwithstanding Section 552.021, a governmental body is not required to provide information in electronic form if the information requested is not in electronic form.

(d) The notice required by this section may be provided by a governmental body in electronic form if the information requested is not in electronic form.

(e) The notice required by this section may be provided by a governmental body in electronic form if the information requested is not in electronic form.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1420 (H.B. 2004), Sec. 1, eff. September 1, 2013.

Sec. 101.008. ACCESS TO PUBLIC INFORMATION. (a) A person may make a written request for public information under this chapter.

(b) A person may make a request for information under this chapter by electronic mail if the information requested is in a format that is readily accessible by electronic means.

(c) Notwithstanding Section 552.021, a governmental body is not required to provide information in electronic form if the information requested is not in electronic form.

(d) The notice required by this section may be provided by a governmental body in electronic form if the information requested is not in electronic form.

(e) The notice required by this section may be provided by a governmental body in electronic form if the information requested is not in electronic form.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1420 (H.B. 2004), Sec. 1, eff. September 1, 2013.

SUBCHAPTER B. COMPLAINTS FOR VIOLATION OF PUBLIC INFORMATION

Sec. 101.009. COMPLAINTS. (a) A person who is a requestor of public information may file a complaint with the office for public information if the information requested is not in the possession of the governmental body or the governmental body does not have the information in its possession or control. If the office for public information has not issued a decision in the matter within the preceding three years of paper receipt, the charge for providing the copy of the public information may not include costs of materials, labor, or overhead, but may include only the costs of the actual cost of the information, or the cost of the information in electronic form, if the information is requested in electronic form.

(b) A complaint must be in writing and must include:

(1) a sworn affidavit stating:

(A) the requestor's name and the date of the request;

(B) the information requested;

(C) the date the requestor received the response to the request, if any, or the date the requestor's complaint was filed with the office for public information;

(D) the reason the requestor believes the information requested is not in the possession of the governmental body or the governmental body does not have the information in its possession or control;

(E) the reason the requestor believes the information requested is not in the possession of the governmental body or the governmental body does not have the information in its possession or control;

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(RRRRRRRRR) the reason the requestor believes the information requested is not in the possession of the governmental body or the governmental body does not have the information in its possession or control;

(SSSSSSSSS)

network calendar day after the date the notice is received.

(c) Except as provided in Section 552.028, information, or the information that is the subject of a person's request to the governmental body and which is excepted from disclosure under this section, may be disclosed to a person who is entitled to inspect or copy the information under this subchapter or another statute if there exists a compelling reason to withhold the information.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 2, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 1319, Sec. 20, eff. Sept. 1, 1999.

Sec. 552.021. ELECTRONIC SUBMISSION OF REQUEST FOR ATTORNEY GENERAL DECISION. (a) This section does not apply to a request for an attorney general decision made under this subchapter if:

(1) the governmental body requesting the decision:

(A) has 100 or more employees; and

(B) received an average of more than 10,000 requests per month of less than 150,000;

(2) the amount or format of responsive information or issue in a particular request makes use of the attorney general's electronic filing system impracticable; or

(3) the request is hand delivered to the office of the attorney general.

(b) Notwithstanding any other provision in this subchapter, a governmental body subject to this section may request through the attorney general's designated electronic filing system:

(1) the attorney general may adopt rules necessary to implement this section, including rules that define the amount or type of formatting of information described by Subsection (d) that is required to be used of the electronic filing system depending on impossible.

Added by Acts 2015, 84th Leg., R.S., Ch. 847 (H.B. 3033), Sec. 5, eff. September 2, 2015.

Sec. 552.0215. DISCLOSURE OF REQUESTED INFORMATION BY ATTORNEY GENERAL. The attorney general may not disclose to the requestor or the public any information submitted to the attorney general under Section 552.021 or 552.0210.

Added by Acts 1995, 74th Leg., ch. 1319, Sec. 21, eff. Sept. 1, 1999.

Sec. 552.024. SUBMISSION OF PUBLIC COMMENTS. (a) A person may submit written comments stating reasons why the information at issue in a request for an attorney general decision should or should not be released.

(b) A person who submits written comments to the attorney general may request that the attorney general withhold from disclosure the requested information from the governmental body and the governmental body. If the written comments submitted to the attorney general disclose or contain information that is alleged to be confidential or protected from disclosure under a law, the comments must be in the person who requested information may be a redacted copy.

(c) Except as provided by this section, "written comments" includes a letter, a memorandum, or a brief.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 29, eff. Sept. 1, 1999.

Acts 2015, 84th Leg., R.S., Ch. 1214 (S.B. 907), Sec. 2, eff. January 1, 2020.

Sec. 552.025. INFORMATION INVOLVING PRIVACY OR PROPERTY INTERESTS OF THIRD PARTY. (a) In a case in which information is requested under this chapter and a person's privacy or property interests may be involved, including a case under Section 552.101, 552.102, 552.104, 552.105, 552.106, 552.110, or 552.114, a governmental body is required to inform the person of the person's rights as a third party under this section.

(b) A person whose interests may be involved under Subsection (a), or any other person, may submit in writing to the attorney general the person's reasons why the information should be withheld or released.

(c) Unless the person described by Subsection (b) has agreed to the release of the information, the attorney general may not disclose information that:

(1) if release of a person's proprietary information may be subject to exemption under Section 552.101, 552.104, 552.110, 552.113, 552.131, or 552.136, or to a person's privacy interests may be subject to exemption under Section 552.101 shall make a good faith attempt to notify that person of the request for the attorney general decision. Notice under this subsection must:

(1) be made within a reasonable time not to exceed the 15th business day after the date the governmental body receives the request for the information; and

(2) include:

(A) a copy of the written request for the information, if any, received by the governmental body; and

(B) a statement, in the form prescribed by the attorney general, that the person is entitled to submit in writing to the attorney general reasons why the information should be withheld or released and the deadline for submitting those reasons.

(d) Notice under Subsection (c) may be given but is not required if:

(1) a letter, memorandum, or brief in support of that reason;

(b) A person who submits a letter, memorandum, or brief in support of a decision under Subsection (b) shall send a copy of that letter, memorandum, or brief to the person who requested the information from the governmental body. If the letter, memorandum, or brief submitted to the attorney general contains information that is alleged to be confidential or protected from disclosure under a law, the person who submitted the letter, memorandum, or brief:

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 30, eff. Sept. 1, 1999. Acts 1999, 76th Leg., ch. 1319, Sec. 22, eff. Sept. 1, 1999.

Sec. 552.026. REPORTING OF ATTORNEY GENERAL DECISIONS. (a) Except as provided by Subsection (b), the attorney general:

(1) provide a written certified notice to the requestor and the attorney general that will disclose the information to the requestor, which may not be less than the 10th business day after the date the governmental body receives the request for information.

(c) If a decision is not requested under Subsection (a), the governmental body shall release the information to the requestor within a special right of access under Section 552.023 not later than the 10th business day after the date of receiving the request for information.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 552.027. ADVISORY COUNCIL. (a) The attorney general shall:

Added by Acts 2005, 79th Leg., ch. 1280, Sec. 1, eff. June 15, 2007.

Sec. 552.028. SPECIAL RIGHT OF ACCESS. ATTORNEY GENERAL DECISIONS. (a) If a governmental body determines that information subject to a special right of access under Section 552.023 is excepted from disclosure under this subchapter, the governmental body shall forward a copy of the request and the decision to the attorney general.

(b) If a decision is not requested under Subsection (a), the governmental body shall release the information to the person with a special right of access under Section 552.023 not later than the 10th business day after the date of receiving the request for information.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 552.029. TIMELINESS OF ACTION BY UNITED STATES MAIL, INTERAGENCY MAIL, OR COMMON OR CONTRACT CARRIER. (a) Except as provided by Section 552.0231, when this subchapter requires a request, notice, or other document to be submitted or otherwise given to a person within a specified period, the requirement is met if the person delivers the request, notice, or other document to the United States mail or common or contract carrier properly addressed or otherwise properly dispatched not:

(1) is hand delivered to the office of the attorney general;

(2) is sent by electronic filing system or other electronic means if the attorney general has established a system or other means for the person to submit information to the attorney general electronically;

(3) is sent by facsimile transmission if the person has provided a facsimile number for the purpose of receiving information from the attorney general.

(b) The attorney general may electronically transmit a notice, decision, or other document. When this subchapter requires the attorney general to transmit a notice, decision, or other document to a person within a specified period, the requirement is met if the attorney general delivers the notice, decision, or other document to the United States mail or common or contract carrier properly addressed or otherwise properly dispatched not:

(c) This section does not affect the right of a person or governmental body to submit information to the attorney general under Section 552.308.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 552.030. SEARCHABLE DATABASE. (a) The office of the attorney general shall make available on the office's Internet website an easily accessible and searchable database consisting of:

(1) information identifying each request for an attorney general decision made under this subchapter; and

(2) the attorney general's opinion issued for the request.

(b) The database must include, for each request for an attorney general decision made under this subchapter:

(1) the name of the governmental body making the request;

(2) the exception under Subchapter F that a governmental body asserts in the request applies to the request to withhold information from public disclosure.

(c) The database must allow a person to view the current status of a request described by Subsection (a)(1) and an estimated timeline indicating the date each stage of review of the request will be started and completed.

Added by Acts 2015, 84th Leg., R.S., Ch. 847 (H.B. 3033), Sec. 11, eff. September 1, 2015.

Sec. 552.031. RIGHT FOR BRIEF OF WARRANTS. (a) A requestor or the attorney general may file suit for a writ of mandamus compelling a governmental body to make information available for public inspection if the governmental body refuses to request an attorney general's decision as provided by Subchapter G or refuses to supply information or information that is requested pursuant to a decision or decisions of the attorney general rendered under Subchapter G.

(b) A suit filed by a requestor under this section must be filed in a district court for the county in which the main office of the governmental body is located or in a district court in Travis County. Venue in a suit filed in a district court in Travis County is in the district court of Travis County. Jurisdiction of a district court in Travis County or a district court in a county in which a regional office of the governmental body is located in which the governmental body maintains a complaint or a complaint must be filed in a district court for the county in which the administrative offices of the governmental body are located. If a complaint is filed in a district court in Travis County, the district court shall transfer the complaint to a district court in the county in which the attorney general requests the complaint be filed if the attorney general requests the complaint be filed in a district court in a county in which a regional office of the governmental body is located.

(c) A complaint may file a complaint alleging a violation of this chapter. The complaint must be filed with the district or county attorney of the county in which the governmental body is located unless the complaint is against the district or county attorney of that county. If the complaint is against the district or county attorney of that county, the complaint must be filed with the district or county attorney of the county in which the administrative offices of the governmental body are located. If the complaint is against a regional office of the governmental body, the complaint must be filed with the district or county attorney of the county in which the regional office is located. If a complaint is filed in a district court in Travis County, the district court shall transfer the complaint to a district court in the county in which the district or county attorney requests the complaint be filed if the district or county attorney requests the complaint be filed in a district court in a county in which a regional office of the governmental body is located.

(d) Notwithstanding Subsection (g)(2), if the district or county attorney believes that that official has a conflict of interest that would preclude that official from representing the governmental body in the matter complained of, before the 30th day after the date the complaint is filed with the district or county attorney, the district or county attorney shall inform the complainant of that official's belief and of the complainant's right to file the complaint with the attorney general. If the district or county attorney does not timely inform the complainant of that official's belief and of the complainant's right to file the complaint with the attorney general, the complainant may:

(1) inform the attorney general that the district or county attorney has not informed the complainant that the complainant may file the complaint with the attorney general; or

(2) return the complaint to the complainant.

(e) If the district or county attorney determines not to bring an action under this section, the complainant is entitled to file the complaint with the attorney general before the 31st day after the date the complaint is returned to the complainant. A complainant is entitled to file a complaint with the attorney general under this section if the district or county attorney does not bring an action under this section or notify the complainant that the district or county attorney will bring an action under this section before the 31st day after the date the complaint is filed with the district or county attorney. The attorney general may not file a complaint under this section if the district or county attorney has brought an action under this section or has notified the complainant that the district or county attorney will bring an action under this section.

(f) The attorney general may intervene in a suit brought under this section if the attorney general believes that the suit is in the public interest. The attorney general may file a petition in intervention at any time before the 30th day after the date the attorney general receives the complaint.

(g) An action may be brought under this section only if the official preparing to bring the action notifies the governmental body in writing of the complaint before the 30th day after the date the official receives the complaint. The notice must include a reasonable description of the complaint. The official may not bring an action under this section before the 30th day after the date the official gives the notice.

(h) An action authorized by this section is in addition to any other civil, administrative, or criminal action provided by this chapter or another law.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by:

Acts 2017, 85th Leg., R.S., Ch. 896 (H.B. 3107), Sec. 4, eff. September 1, 2017.

Sec. 552.032. DISCLOSURE OF INFORMATION UNDER PROTECTIVE ORDER PERSONS FORM INFORMATION. In a suit filed under this chapter, the court may order that the information at issue may be discovered only under a protective order until a final determination is made.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 552.033. IN CAMERA INSPECTION OF INFORMATION. (a) In any suit filed under this chapter, the information at issue may be filed with the court for in camera inspection on the motion of the attorney general or the requestor.

(b) Upon receipt of the information at issue for in camera inspection, the court shall enter an order that prevents release to or access by any person other than the court, a reviewing court, or the parties or their representatives, subject to a protective order. The order shall prohibit the parties from using the data and time.

(c) A party may not have access filed with the court for in camera inspection shall be:

(1) appended to the case file and maintained by the court so that the file is available for the "information at issue";

(2) maintained in a sealed envelope or in a manner that precludes disclosure of the information; and

(3) returned to the party filing the information at the end of the suit.

(d) Information filed with the court under this section does not constitute "court records" within the meaning of Rule 76a, Texas Rules of Civil Procedure, or other court rules or court orders relating to sealing court records.

(e) For purposes of this section, "information at issue" means information withheld by a governmental body that forms the basis of a suit under this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 552.034. ASSESSMENT OF COSTS OF LITIGATION AND REASONABLE ATTORNEY FEES. (a) In an action brought under Section 552.321 or 552.3215, the court shall assess costs of litigation and reasonable attorney fees incurred by a plaintiff who substantially prevails, except that the court may not assess those costs and fees against a governmental body if the court finds that the governmental body acted in reliance on:

(1) a judgment or an order of a court applicable to the governmental body;

(2) a written decision of the attorney general under Subchapter G;

(3) a written decision of the attorney general, or a failure to timely request a decision under Subchapter G or an opinion issued under Section 402.042.

(b) In an action brought under Section 552.324, the court may not assess costs of litigation or reasonable attorney's fees incurred by a plaintiff or governmental body if the substantially prevails unless the court finds that the governmental body acted in bad faith or with a reckless disregard for the requirements of this chapter. In exercising its discretion under this subsection, the court shall consider whether the conduct of the governmental body had a reasonable basis in law and whether the conduct was intended to delay or avoid the release of information.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by:

Acts 2017, 85th Leg., R.S., Ch. 896 (H.B. 3107), Sec. 4, eff. September 1, 2017.

Sec. 552.035. REFUSAL TO ACCEPT REQUESTS TO WITHHOLD INFORMATION. (a) A governmental body, officer for public information, or other person or entity that is the custodian of public information or agent of a custodian of public information may refuse to accept a request to withhold information from public disclosure.

(b) The governmental body, officer for public information, or other person or entity that files the suit demonstrates to the court that the governmental body, officer for public information, or other person or entity that is the custodian of public information or agent of a custodian of public information is unable to refuse the request, by certified mail or by another written method of notice that requires the return of a receipt, of:

(1) the date the governmental body, officer for public information, or other person or entity that is the custodian of public information or agent of a custodian of public information received the request;

(2) the fact that the suit is against the attorney general in Travis County district court; and

(3) the name and address of the office of the attorney general.

(c) If the attorney general enters into a proposed settlement that all or part of the information that is the subject of the suit should be withheld, the attorney general shall notify the requestor of the proposed settlement.

(d) If the attorney general determines that the requestor is not interested in the suit, or if the requestor does not timely file a motion to intervene in the manner required by the Texas Rules of Civil Procedure, if the requestor has intervened in the suit, the attorney general may dismiss the requestor's intervention if the attorney general determines that the requestor has not intervened in the suit.

(e) The court shall allow the requestor a reasonable period to intervene after the attorney general attempts to give notice under Subsection (c).

Added by Acts 1993, 73rd Leg., ch. 576, Sec. 1, eff. Aug. 30, 1993. Acts 1995, 74th Leg., ch. 1035, Sec. 24, eff. Sept. 1, 1995.
Renumbered from Sec. 552.034 by Acts 1995, 74th Leg., ch. 1035, Sec. 31, eff. Sept. 1, 1999.
Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1377 (S.B. 1326), Sec. 1, eff. September 1, 2019.

Sec. 552.036. FAILURE TO RAISE EXCEPTIONS BEFORE ATTORNEY GENERAL. (a) Except as provided by Subsection (b), the only exceptions to required disclosure of information that a governmental body may raise in a suit under this chapter are those exceptions that the governmental body properly raised before the attorney general in connection with its request for a decision regarding the matter under Subchapter G.

(b) A governmental body may raise a mandatory exception, such as an exception that protects the interests of third parties, as provided by Section 552.304.

Added by Acts 2019, 86th Leg., R.S., Ch. 1377 (S.B. 1326), Sec. 1, eff. September 1, 2019.

Sec. 552.037. DISMISSAL OF SUIT DUE TO REQUESTOR'S WITHDRAWAL OR ABANDONMENT OF REQUEST. A court may dismiss a suit challenging a decision of the attorney general brought in accordance with this chapter if:

(1) the requestor withdraws the request for information;

(2) the attorney general determines and represents to the court that the requestor has voluntarily withdrawn the request for information in writing or has abandoned the request.

Added by Acts 2019, 86th Leg., R.S., Ch. 1377 (S.B. 1326), Sec. 1, eff. September 1, 2019.

SUBCHAPTER I. CRIMINAL VIOLATIONS

Sec. 552.351. DESTRUCTION, REMOVAL, OR ALTERATION OF PUBLIC INFORMATION. (a) A person commits an offense if the person willfully destroys, mutilates, removes without permission as provided by this chapter, or alters public information.

(b) An offense under this section is a misdemeanor punishable by:

(1) a fine of not more than $25 or more than $4,000;

(2) confinement in the county jail for not less than three days or more than three months; or

(3) both the fine and confinement.

(c) It is an affirmative defense to prosecution under this section that the public information was transferred under Section 441.204.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 25, eff. Sept. 1, 1999; Acts 2015, 79th Leg., R.S., Ch. 1241 (H.B. 1949), Sec. 1, eff. June 15, 2015.

Sec. 552.352. DISTRIBUTION OR MISUSE OF CONFIDENTIAL INFORMATION. (a) A person commits an offense if the person distributes information considered confidential under the terms of this chapter.

(b) An offense under this section is a misdemeanor punishable by:

(1) a fine of not more than $5 or more than $1,000;

(2) confinement in the county jail for not less than three days or more than three months; or

(3) both the fine and confinement.

(c) It is an affirmative defense to prosecution under this section that the information was transferred under Section 441.204.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 25, eff. Sept. 1, 1999; Acts 2015, 79th Leg., R.S., Ch. 1241 (H.B. 1949), Sec. 1, eff. June 15, 2015.

Sec. 552.353. DISTRIBUTION OF MISUSE OF CONFIDENTIAL INFORMATION. (a) A person commits an offense if the person distributes information considered confidential under the terms of this chapter.

(b) An offense under this section is a misdemeanor punishable by:

(1) a fine of not more than $5 or more than $1,000;

(2) confinement in the county jail for not less than three days or more than three months; or

(3) both the fine and confinement.

(c) It is an affirmative defense to prosecution under this section that the information was transferred under Section 441.204.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 25, eff. Sept. 1, 1999; Acts 2015, 79th Leg., R.S., Ch. 1241 (H.B. 1949), Sec. 1, eff. June 15, 2015.

Sec. 552.354. PROHIBITED ACTIVITIES. (a) A person or governmental body who obtains access to confidential information under Section 552.008 commits an offense if the officer or employee knowingly:

(1) uses the confidential information for a purpose other than the purpose for which the information was received or for a purpose unrelated to the law that permits the person or governmental body to obtain access to the information, including solicitation of political contributions or solicitation of clients;

(2) permits inspection of the confidential information by a person who is not authorized to inspect the information; or

(3) discloses the confidential information to a person who is not authorized to receive the information.

(b) For purposes of Subsection (a)(1), a member of an advisory committee to a governmental body who obtains access to confidential information in their capacity as a member of the advisory committee is an employee of the governmental body.

(c) An offense under this section is a misdemeanor punishable by:

(1) a fine of not more than $1,000;

(2) confinement in the county jail for not more than six months; or

(3) both the fine and confinement.

(d) It is an affirmative defense to prosecution under this section that the person or governmental body was compelled by a court to disclose the information.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 25, eff. Sept. 1, 1999; Acts 2015, 79th Leg., R.S., Ch. 1241 (H.B. 1949), Sec. 1, eff. June 15, 2015.

Sec. 552.355. FAILURE OR REFUSAL OF OFFICER FOR PUBLIC INFORMATION TO PROVIDE ACCESS TO OR COPYING OF PUBLIC INFORMATION. (a) An officer for public information or the officer's agent commits an offense if the officer or agent knowingly refuses to provide access to or copying of public information to a person that is entitled to inspect or copy it under this chapter or to permit or provide copying of public information to a requestor as provided by this chapter.

(b) Notwithstanding the foregoing, an officer for public information or the officer's agent shall not be liable for public information reasonably believed that public access to or copying of the information is not required and that:

(1) the officer acted in reasonable reliance on a court order or a written interpretation of this chapter contained in an opinion of a court of record or of the attorney general; or

(2) the officer requested a decision from the attorney general in accordance with Subchapter G, and the decision is pending;

(c) Notwithstanding the foregoing, an officer for public information or the officer's agent shall not be liable for public information if the officer or agent has reasonably relied on a decision of the attorney general or a court of record that the information is not required to be disclosed.

(d) It is an affirmative defense to prosecution under Subsection (a) that a person or entity has, not later than the 10th calendar day after the date the person or entity receives the request for information, filed a suit for a declaratory judgment under Subchapter G.

(e) It is an affirmative defense to prosecution under Subsection (a) that the defendant is the agent of an officer for public information and that the agent reasonably relied on the written decision of the officer for public information not to disclose the public information requested.

(f) An offense under this section is a misdemeanor punishable by:

(1) a fine of not more than $500;

(2) confinement in the county jail for not more than six months; or

(3) both the fine and confinement.

(g) It is an affirmative defense to prosecution under Subsection (a) that the information was destroyed or lost.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 25, eff. Sept. 1, 1999; Acts 2015, 79th Leg., R.S., Ch. 1241 (H.B. 1949), Sec. 1, eff. June 15, 2015.

SUBCHAPTER J. ADDITIONAL PROVISIONS RELATED TO CONTRACTING INFORMATION

Sec. 552.371. CONTRACT ENTITIES REQUIRED TO MAINTAIN CONTRACTING INFORMATION. (a) In this section, "contract entity" means:

(1) an entity that is not a governmental body that executes a contract with a governmental body;

(2) an entity that is not a governmental body that is a party to a contract for goods or services by the governmental body; or

(3) an entity that is not a governmental body that is a party to a contract for the management of a facility or system by a third party on behalf of a governmental body.

(b) Each contract entity is subject to a written request for public information received by a governmental body that is a party to a contract described by Subsection (a) for contracting information related to the contract that is in the custody or possession of the entity and not maintained by the governmental body.

(c) Not later than the 10th business day after the date the governmental body receives a written request for information described by Subsection (b), the contract entity shall provide to the entity that is the governmental body that sent the request in writing to the entity not later than the third business day after the date the governmental body receives the written request described by Subsection (b).

(d) Notwithstanding Section 552.021, a governmental body's decision under Section 552.302 to determine whether contracting information subject to a written request described by Subsection (b) is subject to disclosure under this subchapter and to request a decision from the attorney general not later than the 10th business day after the date the governmental body receives the written request described by Subsection (b).

(e) Notwithstanding Section 552.022, information described by Subsection (b) is not confidential if provided to the requestor not later than the 10th business day after the date the governmental body receives the written request described by Subsection (b).

(f) Notwithstanding Section 552.007, a contract entity may not destroy or dispose of information described by Subsection (b) or any other information in the custody or possession of the entity that is the subject of a request for information described by Section 552.021 or 552.0215 until the:

(1) a copy described by Section 552.021(a)(1) is unavailable timely if sent to the requestor not later than the 10th business day after the date the governmental body receives the written request described by Subsection (b);

(2) Section 552.302 does not apply to information described by Subsection (b) if the governmental body:

(A) receives a written request described by Subsection (b) not later than the third business day after the date the governmental body receives the written request described by Subsection (b) from the contracting entity;

(B) notifies the contracting entity not later than the 10th business day after the date the governmental body receives the written request for the information; and

(C) requests the information described by Subsection (b) from the contracting entity not later than the 10th business day after the date the governmental body receives the information from the contracting entity.

(g) Section 552.302 does not apply to information described by Subsection (b) if the governmental body:

(1) responding information the governmental body

Added by Acts, 86th Leg., R.S., Ch. 1214 (S.B. 943), Sec. 5, eff. January 1, 2020.

Sec. 552.372. BIDS AND CONTRACTS. (a) A contract described by Section 552.371 must require a contracting entity to:

(1) maintain the contracting information described by Section 552.371(b) in the manner provided by records retention requirements applicable to the governmental body for the duration of the contract;

(2) on request by the governmental body any contracting information related to the contract that is in the custody or possession of the entity or employee of the governmental body; and

(3) on completion of the contract, either:

(A) provide at no cost to the governmental body all contracting information related to the contract that is in the custody or possession of the entity; or

(B) preserve the contracting information related to the contract as provided by the records retention requirements applicable to the governmental body.

(b) Unless Section 552.372(c) applies, a bid for a contract described by Section 552.371 and the contract must include the following statement: "Pursuant to Subchapter J, Chapter 552, Government Code, the vendor agrees that the contracting information related to this contract is subject to the provisions of the contract that the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter."

(c) Section 552.371(a) does not apply to a bid for a contract described by Section 552.371 if the contract is with an entity that the governmental body has determined has knowingly or intentionally failed to comply with this subchapter in a previous bid or contract described by that section unless the governmental body determines that the entity has taken adequate steps to ensure future compliance with this subchapter.

Added by Acts, 86th Leg., R.S., Ch. 1214 (S.B. 943), Sec. 5, eff. January 1, 2020.

Sec. 552.373. DUTY TO PROVIDE CONTRACTING INFORMATION. (a) Notwithstanding Section 552.371, a governmental body may terminate a contract described by Section 552.371 if:

(1) the governmental body provides notice under Section 552.372 to the entity that is party to the contract;

(2) the contracting entity does not cure the violation in the period prescribed by Section 552.374;

(3) the governmental body determines that the entity has not taken adequate steps to ensure future compliance with the requirements of this subchapter.

(b) For the purpose of Subsection (a), an entity has taken adequate steps to ensure future compliance with this subchapter if:

(1) the entity establishes a records management program to enable the entity to comply with this subchapter.

(c) Notwithstanding any law, a governmental body may not terminate a contract described by Section 552.371 if the termination or unbundling of a public security, the contract is or may be used as collateral on a loan, or the contract's proceeds are used to pay debt service of a public security or loan.

Added by Acts, 86th Leg., R.S., Ch. 1214 (S.B. 943), Sec. 5, eff. January 1, 2020.

Sec. 552.374. OTHER CONTRACT PROVISIONS. Nothing in this subchapter prevents a governmental body from including and enforcing more stringent requirements in a contract to increase accountability and transparency.

Added by Acts, 86th Leg., R.S., Ch. 1214 (S.B. 943), Sec. 5, eff. January 1, 2020.

Sec. 552.375. CAUSE OF ACTION NOT CREATED. This subchapter does not create a cause of action to contract a bid for or the award of a contract with a governmental body.

Added by Acts 2019, 86th Leg., R.S., Ch. 1214 (S.B. 943), Sec. 5, eff. January 1, 2020.