

BILL ANALYSIS

H.B. 2192
By: Capriglione
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the authority of a court to assess litigation costs and attorney's fees against the office of the attorney general in certain public information suits brought by governmental bodies. It has been suggested that the exercise of this authority may have the effect of shifting the cost of enforcing public information law away from entities that seek to withhold such information. H.B. 2192 seeks to address these concerns by limiting awards of costs and fees in these cases.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2192 amends the Government Code to limit the authority of a court, in certain actions brought by a governmental body seeking to withhold information from a requestor under public information law, to assess costs of litigation or reasonable attorney's fees to a case in which the court finds the action or the defense of the action was groundless in fact or law.

EFFECTIVE DATE

September 1, 2019.