

BILL ANALYSIS

Senate Research Center

H.B. 305
By: Paul et al. (Nelson)
Business & Commerce
5/3/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Legislature has taken many steps to ensure that our governmental entities are as open and transparent as possible. There have been calls by many for greater public accountability for political subdivisions with the authority to impose a tax, due to the impact on Texas families. H.B. 305 seeks to address this issue by requiring a political subdivision that has the authority to levy a tax and maintains a publicly accessible website to make certain contact, election, and meeting information available to the public on that website.

H.B. 305 amends current law relating to the requirement that a political subdivision with authority to impose a tax post certain information on an Internet website.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 2051, Government Code, by adding Subchapter E, as follows:

SUBCHAPTER E. INTERNET WEBSITE

Sec. 2051.151. **APPLICABILITY OF SUBCHAPTER.** Provides that, except as provided by Section 2051.152(b), this subchapter applies only to a political subdivision with the authority to impose a tax that at any time on or after January 1, 2019, maintained a publicly accessible Internet website.

Sec. 2051.152. **INFORMATION REQUIRED ON WEBSITE.** (a) Requires a political subdivision to which this section applies to post on a publicly accessible Internet website the following information:

- (1) the political subdivision's contact information, including a mailing address, telephone number, and e-mail address;
- (2) each elected officer of the political subdivision;
- (3) the date and location of the next election for officers of the political subdivision;
- (4) the requirements and deadline for filing for candidacy of each elected office of the political subdivision, which are required to be continuously posted for at least one year before the election day for the office;
- (5) each notice of a meeting of the political subdivision's governing body under Subchapter C (Notice of Meeting Required), Chapter 551; and

(6) each record of a meeting of the political subdivision's governing body under Section 551.021 (Minutes or Recording of Open Meeting Required).

(b) Provides that Subsections (a)(5) and (a)(6) do not apply to:

(1) a county with a population of less than 10,000;

(2) a municipality with a population of less than 5,000 located in a county with a population of less than 25,000; or

(3) a school district with a population of less than 5,000 in the district's boundaries and located in a county with a population of less than 25,000.

SECTION 2. Makes application of Sections 2051.152(6) and (7), Government Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2019.