

Texas FOIA Laws

The **Texas Open Meetings Act** legislates the methods by which public meetings are conducted. Title 5A, Chapter 551 of the Texas Government Code defines the law. The law states that a meeting is any gathering of a quorum of the members of a public body with the intention of deliberating and deciding on public policy. Any chance gatherings, conferences, ceremonial events, or press conferences which the members of the public body attend but do not deliberate or discuss public policy are exempt from the law. If violated, any action taken during the meeting can be voided and violators are guilty of a class C misdemeanor which is punishable by fines of up to \$500 and jail time of up to 6 months.

Open Meetings Law Texas Government Code Chapter 551

Exempt: Over 30 exemptions including: Confidential information as defined by law; personnel information; litigation or settlement negotiations involving state, competition or bidding information; certain real estate information; certain legislative documents; certain investigation or prosecution documents; certain private communications of public office holders; certain trade or financial secrets; and student records.

Texas Public Information Act

The **Texas Public Information Act** is a series of laws designed to guarantee that the public has access to public records of government bodies. Until the law was formalized, the ability of a citizen to gain access to public records was at the discretion of the custodian of the records, except in those cases where records custodians were forbidden to allow access. The law covers nearly all documents that are in the possession of government agencies in the state that are covered by the law. Section 552.002 says that information is public if it "is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business" by a governmental body or for a governmental body, and the governmental body owns the information or has a right of access to it.

Any person, not just citizens of Texas, can request public information. A statement of purpose is not required nor is there a law on how the records can be used. The **Texas Public Information Act** allows 10 days for a response to public record requests.

Public Information Act Texas Government Code 552 (Public Information Act)

Closed: Attorney consultations; real estate transactions; hearings of the ethics commission; personnel and individual student matters; and emergency medical service quality reviews, etc.