

## **BILL ANALYSIS**

S.B. 1154  
By: Shapleigh  
State Cultural and Recreational Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current Texas policy attempts to ensure the collection, preservation, and widespread, timely access to state government publications. S.B. 1154 requires the Texas State Library and Archives Commission (TSLAC) to establish and maintain the Texas Records and Information Locator at the TSLAC or at other depository libraries that would allow public access to state publications in an electronic format, including access via the Internet.

### **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.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 441.101(2) and (4), Government Code, to redefine "depository library" and "state publication."

SECTION 2. Amends Section 441.102(c), Government Code, to require the Texas State Library and Archives Commission (TSLAC) to establish and maintain a system, named the "Texas Records and Information Locator" or "TRAIL" to allow electronic access, including access through the Internet, at the Texas State Library and other depository libraries, to state publications in an electronic format that have been made available to the public by or on behalf of a state agency.

SECTION 3. Amends Section 441.103, Government Code, by amending Subsections (a) and (b) and adding Subsections (f), (g), and (h), as follows:

(a) Requires a state agency to designate one or more staff persons as agency publications liaisons, rather than contact persons, and to notify the Texas State Library of those persons' identities. Makes a conforming change.

(b) Requires a state agency to furnish copies of its printed state publications to the Texas State Library in the number specified by TSLAC rules.

(f) Requires a state agency to make its printed state publications accessible from the state agency's website in an electronic format. Requires the agency, if the state agency does not have a website, to deposit the electronic source file for each printed state publication in the manner prescribed by TSLAC rules.

(g) Requires a state agency to include, for any state publication in electronic format, regardless of its availability through the Internet, identifying and descriptive information about the state publication as specified by TSLAC and Department of Information Resources rules.

(h) Requires the state agency, if an electronic state publication is not printed or available from the state agency's website to furnish the Texas State Library copies in a manner prescribed by

TSLAC rules. Prohibits TSLAC from requiring more than 75 copies of the publication.

SECTION 4. Amends Section 441.104, Government Code, as follows:

Sec. 441.104. DUTIES OF TEXAS STATE LIBRARY. Requires the Texas State Library to perform certain acts.

SECTION 5. Amends Section 441.106, Government Code, as follows:

Sec. 441.106. PAYMENT FOR PRINTING OF STATE PUBLICATIONS. Prohibits an account for the printing, if a state agency's printing is done by contract, from being approved and a warrant from being issued unless the agency first furnishes to the Texas Building and Procurement, rather than State Purchasing and General Services, Commission a receipt from the state librarian for the publication or a written waiver from the state librarian exempting the publication from this subchapter.

SECTION 6. Effective date: September 1, 2003.

**EFFECTIVE DATE**

September 1, 2003.