COMMITTEE VOTE

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<th>Name</th>
<th>Yea</th>
<th>Nay</th>
<th>Absent</th>
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<td>Hancock</td>
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<td>Zaffirini</td>
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COMMITTEE SUBSTITUTE FOR S.B. No. 408

A BILL TO BE ENTITLED
AN ACT
relating to the definition of a governmental body for the purposes
of the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Section 552.002, Government Code, is amended by
adding Subsection (d) to read as follows:
by Section 552.003(1)(A)(xii) is public information and subject to
this chapter only to the extent the information relates to:
(1) the receipt or expenditure of public funds or
other public resources, as described by Section
552.003(1)(A)(xii)(a);
(2) a relationship with one or more governmental
bodies that involves public funds or other public resources and
that indicates a common purpose or objective or that creates an
agency-type relationship, as described by Section
552.003(1)(A)(xii)(b); or
(3) the provision of services that are traditionally
provided by a governmental body, as described by Section
552.003(1)(A)(xii)(c).
SECTION 2. Section 552.003, Government Code, is amended by
amending Subdivision (1) and adding Subdivision (5-a) to read as
follows:
(1) "Governmental body":
(A) means:
(i) a board, commission, department,
committee, institution, agency, or office that is within 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 the
state;
(iii) a municipal governing body in the
state;
(iv) a deliberative body that has
rulemaking or quasi-judicial power and that is classified as a
department, agency, or political subdivision of a county or
municipality;
(v) a school district board of trustees;
(vi) a county board of school trustees;
(vii) a county board of education;
(viii) the governing board of a special
district;

(ix) the governing body of a nonprofit corporation organized 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, Tax Code;

(x) a local workforce development board created under Section 2308.253;

(xi) a nonprofit corporation that is eligible to receive funds under the federal community services block grant program and that is authorized by this state to serve a geographic area of the state; and

(xii) the part, section, or portion of an organization, corporation, commission, committee, institution, or agency that:

(a) receives or spends public funds or other public resources unless the receipt or expenditure of the funds or other resources imposes a specific and definite obligation on the entity to provide a measurable amount of goods, services, or insurance in exchange for the funds or other resources as would be expected in an arms-length transaction or quid pro quo agreement for goods, services, or insurance between a vendor and purchaser;

(b) is involved in a relationship with one or more governmental bodies that involves public funds or other public resources and that:

(1) indicates a common purpose or objective; or

(2) creates an agency-type relationship between the entity and one or more governmental bodies; or

(c) provides services traditionally provided by a governmental body in exchange for [spends or that is supported in whole or in part by] public funds or other public resources; and

(B) does not include the judiciary.

SECTION 3. The change in law made by this Act applies only to a request for public information received on or after the effective date of this Act. A request for public information received before the effective date of this Act is governed by the law in effect when the request was received, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2017.

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