

Texas Public Information Act & Texas Open Meetings Act: How They Work

Advanced Texas Administrative Law
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The Statutes

- Texas Open Meetings Act (TOMA):
Chapter 551, Texas Government Code

- Texas Public Information Act (TPIA):
Chapter 552, Texas Government Code
 - Formerly known as the Texas Open Records Act



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TOMA Basics

- When a quorum of a governmental body meets, it must do so in public
- The governmental body must give sufficient prior notice of the time, place, and subject of the meeting

What is a “governmental body”?

- Definition in § 551.001
- Includes general definitions and specific examples
- Examples: county commissioners court; municipal governing body; school board

Descriptive definitions

- “a board, commission, department, committee, or agency within the executive or legislative branch of state government that is directed by one or more elected or appointed members”
- “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”

TOMA's scope

- Does not cover the judiciary
 - Public access to judicial proceedings sometimes mandated by the Constitution
 - See also Rule 12, Rules of Judicial Administration
- Covers certain property owners' associations
 - Only in Harris and adjacent counties

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