

NOV 27 2017

REQUEST FOR AGENDA PLACEMENT FORM

Submission Deadline - Tuesday, 12:00 PM before Court Dates

Approved

SUBMITTED BY: Jerry D. Stringer TODAY'S DATE: November 16, 2017

DEPARTMENT: X ___ Precinct #3 ___

SIGNATURE OF DEPARTMENT HEAD: X ___ Jerry D. Stringer ___

REQUESTED AGENDA DATE: X ___ November 27, 2017 ___

SPECIFIC AGENDA WORDING:

Consideration of order pursuant to chapter 552 of the Texas Government Code establishing monthly and yearly limits on the amount of time that county personnel may spend on public information act requests before recovering costs, and providing for recovery of staff time devoted to public information act requests.

PERSON(S) TO PRESENT ITEM:

Jerry Stringer, Commissioner

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 5 minutes

PRESENTATION _____

ACTION ITEM: _____

WORKSHOP: _____

(Anticipated number of minutes needed to discuss item) **CONSENT:** _____

EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY: _____ **ISS DEPARTMENT:** _____

AUDITOR: _____ **PURCHASING DEPARTMENT:** _____

PERSONNEL: _____ **PUBLIC WORKS:** _____

BUDGET COORDINATOR: _____ **OTHER:** _____

*****This Section to be Completed by County Judge's Office*****

ASSIGNED AGENDA DATE: _____

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE _____

COURT MEMBER APPROVAL _____ Date _____

JOHNSON COUNTY COMMISSIONERS COURT

Filed For Record 2:26 pm



NOV 27 2017

Becky Ivey
County Clerk, Johnson County Texas
BY JD DEPUTY

JERRY D. STRINGER
Commissioner Pct. #3

LARRY WOOLLEY
Commissioner Pct. #4

RICK BAILEY
Commissioner Pct. #1

ROGER HARMON
County Judge

Carla Hester
Assistant to Commissioner's Court

KENNY HOWELL
Commissioner Pct. #2

THE STATE OF TEXAS

§
§
§

ORDER #2017-41

COUNTY OF JOHNSON

**ORDER PURSUANT TO CHAPTER 552
OF THE TEXAS GOVERNMENT CODE ESTABLISHING
MONTHLY AND YEARLY LIMITS ON THE AMOUNT OF TIME THAT COUNTY
PERSONNEL MAY SPEND ON PUBLIC INFORMATION ACT REQUESTS BEFORE
RECOVERING COSTS, AND PROVIDING FOR RECOVERY OF STAFF TIME
DEVOTED TO PUBLIC INFORMATION ACT REQUESTS**

WHEREAS, Johnson County is a political subdivision of the State of Texas, and is subject to the Public Information Act as set forth in Chapter 552 of the Texas Government Code; and

WHEREAS, the 85th Legislature of the State of Texas passed HB 3107 which amended Sections 552.221, 552.261, 552.275, and 552.3215 (i) of the Texas Government Code; and

WHEREAS, HB 3107 authorizes a governmental body to establish reasonable monthly and yearly limits on the amount of time that personnel of the governmental body are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time; and

WHEREAS, HB 3107 provides relief for governmental entities that devote large amounts of staff time to fulfillment of Public Information Act requests and to allow governmental entities to recover their costs attributable to fulfilling those requests; and

WHEREAS, the County has expended considerable staff time fulfilling Public Information Act requests and deems it in the public interest to recover costs attributable to fulfillment of those requests; and

WHEREAS, HB 3107 became effective September 1, 2017.

**COPY NOT COMPARED
TO ORIGINAL**

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF JOHNSON COUNTY, TEXAS:

Section 1. Under the authority of Section 552.275, Texas Government Code, Johnson County hereby establishes the following reasonable monthly and yearly limits on the amount of time that County personnel are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to the personnel time:

Monthly: 15 hours
Yearly: 36 hours

Section 2. All requests from a single requestor, including requests made under surrogate or assumed names or identities, made in conjunction or collusion with a third party will be counted towards the requestor's monthly and yearly time limits adopted by the County. Under authority of Section 552.222 (a) to the Texas Government Code, the County reserves the right to verify the identity of any Public Information Act requestor.

Section 3. Should any section, subsection, sentence, clause, or phrase of this Order be declared unconstitutional, illegal, or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Order shall remain in full force and effect. The County hereby declares it would have passed this Order, each section, subsection, clause or phrase thereof regardless of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.


Section 4. This Order becomes effective on the date of passage.

DONE IN OPEN COURT THIS 27th DAY OF NOVEMBER, 2017.



Roger Harmon, Johnson County Judge

Voted: yes, ___ no, ___ abstained




Rick Bailey, Comm. Pct. #1

Voted: yes, ___ no, ___ abstained




Kenny Howell, Comm. Pct. #2

Voted: yes, ___ no, ___ abstained



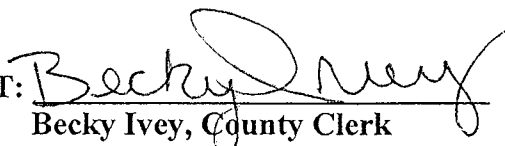
Jerry D. Stringer, Comm. Pct. #3

Voted: ___ yes, ___ no, ___ abstained



Larry Woolley, Comm. Pct. #4

Voted: yes, ___ no, ___ abstained

ATTEST: 

Becky Ivey, County Clerk

