



NEW LAW SHINES MORE LIGHT ON TEXAS GOVERNMENT

by Texas Attorney General Greg Abbott

WE LIVE IN AN ERA in which Texans demand more openness from their government. The role of public officials is not to be *protectors* of public information but active participants in *sharing* information with the public.

A new Texas law will help achieve that goal. Effective Jan. 1, 2006, all public officials subject to Texas open government laws must complete open government training. The new law tasks the Attorney General's office with establishing the formal training necessary to ensure that all elected and appointed government officials understand open records and open meetings laws.

The new mandatory training law, which I have long supported, grew out of a desire to clear up confusion and provide "no excuses" for government not to comply with open government laws.

My office is responsible for ruling on open records requests from governmental bodies seeking guidance about disclosure of records to the public. Over the past few years, we have seen incredible growth in the number of those requests. Last year alone, we received 11,300 such requests – an almost 40 percent increase in the last two years. We issue an average of about 45 open records rulings per day and answer more than 10,000 calls per year on our Open Government Hotline.

Through our investigations and enforcement, we have found there are several reasons why officials don't comply with open government laws. Some simply try to hide information because they don't want to follow the law. Then there are foot-draggers, who want to impede access to information by building barriers and making it difficult to get information.

Most often, however, violations of open government laws occur because public officials simply don't know what the law requires. By educating officials about their duty to provide information to the citizens they represent and to conduct lawful open meetings that are accessible to the public, my office can help ensure the law is followed.

My office has produced two hour-long videos – one for the Public Information Act (which governs open records laws), the other for the Open Meetings Act – to teach public officials what those laws require.

The free training videos can be viewed on our website at www.oag.state.tx.us. For those without Internet access, a free DVD or VHS cassette of the videos can be requested by calling my office at (800) 252-8011. You can also visit our website to apply for the Attorney General's approval of an open government training

course, to fill out an open government course completion certificate, and to find answers to many other frequently asked questions. Officials who were in office before Jan. 1, 2006, have until Jan. 1, 2007, to complete the required training. Officials who are elected or appointed after Jan. 1, 2006, have 90 days after taking office within which to complete the required training.

I expect this law to reduce violations, increase compliance and speed up response times to open records requests. This, in turn, should decrease the money spent on enforcement and reduce the costs incurred on lawsuits to defend open government claims.

As I said earlier, no longer do public officials have any excuse for not following the state's open government laws. This training will teach public officials what the law requires and that there will be consequences for not following it.

I'm proud to say I have already completed the new open government training. As stewards of the public trust, we government officials have a duty to be as transparent as possible in the way the public's business is conducted. Making this kind of training available will help prevent inadvertent compliance problems and ensure our government remains open in the interest of all Texans.

POINTS TO REMEMBER



OPEN GOVERNMENT

The role of public officials is not to be protectors of public information but active participants in sharing information with the public. The Attorney General is responsible for ensuring that Texas government is open and accessible to all citizens.

A new law, which went into effect on Jan. 1, 2006, requires all public officials subject to Texas open government laws to complete training in the state's open records and open meetings laws.

The Office of the Attorney General has produced two hour-long videos – one about the Public Information Act, and the other about the Open Meetings Act.

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