

GOVERNMENT CODE

TITLE 10. GENERAL GOVERNMENT

SUBTITLE B. INFORMATION AND PLANNING

CHAPTER 2051. GOVERNMENT DOCUMENTS, PUBLICATIONS, AND NOTICES

SUBCHAPTER A. OFFICIAL SEALS

Sec. 2051.001. ADOPTION OF SEAL. A commission or board created by state law and a commissioner whose office is created by state law may adopt a seal with which to attest an official document, certificate, or other written paper.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER B. PAPER SUPPLIES AND EQUIPMENT

Sec. 2051.022. STATE AGENCY TELEPHONE NUMBER REQUIRED ON STATIONERY. (a) A state agency shall print a telephone number for the agency on the letterhead of its official stationery.

(b) In this section, "state agency" means:

(1) a board, commission, department, office, or other agency in the executive branch of state government that was created by the constitution or a statute of the state, including an institution of higher education as defined by Section 61.003, Education Code;

(2) the legislature or a legislative agency;

(3) the supreme court, the court of criminal appeals, a court of appeals, or a state judicial agency; or

(4) a river authority.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER C. NOTICE BY PUBLICATION IN NEWSPAPER

Sec. 2051.041. DEFINITIONS. In this subchapter:

(1) "Governmental entity" means an institution, board, commission, or department of:

(A) the state or a subdivision of the state; or

(B) a political subdivision of the state,

including a municipality, a county, or any kind of district.

(2) "Governmental representative" includes an officer, employee, or agent of a governmental entity.

(3) "Notice" means any matter, including a proclamation or advertisement, required or authorized by law to be published in a newspaper by a governmental entity or representative.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.042. APPLICABILITY OF SUBCHAPTER. (a) This subchapter applies only to the extent that the general or special law requiring or authorizing the publication of a notice in a newspaper by a governmental entity or representative does not specify the manner of the publication, including the number of times that the notice is required to be published and the period during which the notice is required to be published.

(b) This subchapter does not apply to the publication of a citation that relates to a civil suit and to which the Texas Rules of Civil Procedure apply.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.043. PUBLICATION IN AT LEAST ONE ISSUE REQUIRED. Except as provided by Section [2051.046\(b\)](#) or [2051.048\(d\)](#), a notice shall be published in at least one issue of a newspaper.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.044. TYPE OF NEWSPAPER REQUIRED. (a) The newspaper in which a notice is published must:

(1) devote not less than 25 percent of its total column lineage to general interest items;

(2) be published at least once each week;

(3) be entered as second-class postal matter in the county where published; and

(4) have been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice.

(b) A weekly newspaper has been published regularly and

continuously under Subsection (a) if the newspaper omits not more than two issues in the 12-month period.

(c) This section does not apply to the publication of a notice to which Section [2051.0441](#) applies.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 2003, 78th Leg., ch. 1130, Sec. 1, eff. June 20, 2003.

Sec. 2051.0441. TYPE OF NEWSPAPER REQUIRED FOR PUBLICATION IN CERTAIN COUNTIES. (a) This section applies only to a notice published by a governmental entity or representative in a county:

(1) with a population of at least 30,000 and not more than 42,000 that borders the Red River; or

(2) that does not have a newspaper described by Section [2051.044](#) published in the county.

(b) The newspaper in which a notice is published under this section must:

(1) devote not less than 20 percent of its total column lineage to general interest items;

(2) be published at least once each week;

(3) be entered as periodical postal matter in the county where published or have a mailed or delivered circulation of at least 51 percent of the residences in the county where published; and

(4) have been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice.

(c) A weekly newspaper has been published regularly and continuously under Subsection (b) if the newspaper omits not more than two issues in the 12-month period.

Added by Acts 2003, 78th Leg., ch. 1130, Sec. 2, eff. June 20, 2003.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 768 (H.B. [1812](#)), Sec. 1, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 799 (H.B. [2985](#)), Sec. 1, eff. September 1, 2017.

Acts 2023, 88th Leg., R.S., Ch. 644 (H.B. [4559](#)), Sec. 64, eff.

September 1, 2023.

Sec. 2051.045. LEGAL RATE CHARGED FOR PUBLICATION. The legal rate for publication of a notice in a newspaper is the newspaper's lowest published rate for classified advertising. Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.046. NOTICE OF COUNTY. (a) A notice of a county shall be published in a newspaper published in the county that will publish the notice at or below the legal rate.

(b) If no newspaper that will publish the notice at or below the legal rate is published in the county, the notice shall be posted at the door of the county courthouse.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.047. NOTICE OF CERTAIN CONSERVATION AND RECLAMATION DISTRICTS. A conservation and reclamation district, other than a river authority, created under Article XVI, Section 59, of the Texas Constitution that furnishes water and sewer services to household users satisfies a requirement of general, special, or local law to publish notice in a newspaper of general circulation in the county in which the district is located by publishing the notice in a newspaper of general circulation in the district.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.048. NOTICE OF OTHER POLITICAL SUBDIVISION. (a) This section applies only to a political subdivision other than a county or a conservation and reclamation district under Section 2051.047.

(b) A notice of a political subdivision shall be published in a newspaper that is published in the political subdivision and that will publish the notice at or below the legal rate.

(c) If no newspaper published in the political subdivision will publish the notice at or below the legal rate, the political subdivision shall publish the notice in a newspaper that:

(1) is published in the county in which the political

subdivision is located; and

(2) will charge the legal rate or a lower rate.

(d) If no newspaper published in the county in which the political subdivision is located will publish the notice at or below the legal rate, the political subdivision shall post the notice at the door of the county courthouse of the county in which the political subdivision is located.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.049. SELECTION OF NEWSPAPER. The governmental entity or representative required to publish a notice in a newspaper shall select, in accordance with this subchapter, one or more newspapers to publish the notice.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.050. TIME OF PUBLICATION. A notice must be published in a newspaper issued at least one day before the occurrence of the event to which the notice refers.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.051. BILL FOR PUBLICATION. A newspaper that publishes a notice shall submit a bill for the publication with a clipping of the published notice and a verified statement of the publisher that:

(1) states the rate charged;

(2) certifies that the rate charged is the newspaper's lowest published rate for classified advertising; and

(3) certifies the number and dates of the publication.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.052. CANCELLATION OF PUBLISHING CONTRACT. The comptroller or a district or county official required to publish a notice may cancel a contract executed by the comptroller or official for the publication if the comptroller or official determines that the newspaper charges a rate higher than the legal rate.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 937 (H.B. 3560), Sec. 1.64, eff. September 1, 2007.

Sec. 2051.053. REFUSAL OF NEWSPAPER TO PUBLISH NOTICE OR CITATION. (a) The refusal of a newspaper to publish, without receiving advance payment for making the publication, a notice or citation in a state court proceeding in which the state or a political subdivision of the state is a party and in which the cost of the publication is to be charged as fees or costs of the proceeding is considered an unqualified refusal to publish the notice or citation.

(b) The sworn statement of the newspaper's publisher or the person offering to insert the notice or citation in the newspaper is subject to record as proof of the refusal.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2051.054. INTERNET PUBLICATION OF NOTICES. (a) Subsections (b)(2) and (c) apply only if the Texas Press Association maintains an Internet website as a statewide repository of notices.

(b) A newspaper that publishes a notice shall, at no additional cost to the governmental entity placing the notice:

(1) publish the notice on one or more webpages on the newspaper's Internet website, if the newspaper maintains a website, that are:

(A) clearly designated for notices; and

(B) accessible to the public at no cost; and

(2) deliver the notice to the Texas Press Association for the association to publish on the association's Internet website described by Subsection (a).

(c) The Texas Press Association shall publish each notice it receives from a newspaper under Subsection (b)(2) on the association's Internet website described by Subsection (a). The association must ensure that the website:

(1) is accessible to the public at no cost;

(2) is updated as notices are received;

(3) is searchable and sortable by subject matter, location, and both subject matter and location; and

(4) offers an e-mail notification service to which a person may electronically subscribe to receive notifications that a notice has been published on the website and that allows the subscriber to limit the notifications by subject matter, location, or both subject matter and location.

(d) A person required to publish a notice on an Internet website under this section shall archive the notice on the website in its entirety, including the date the notice is published.

(e) The validity of a notice printed in a newspaper and published on an Internet website under this section is not affected if:

(1) there is an error in the notice published on the website; or

(2) publication of the notice on the website is temporarily prevented as the result of a technical issue with the website.

Added by Acts 2023, 88th Leg., R.S., Ch. 249 (S.B. [943](#)), Sec. 1, eff. September 1, 2023.

SUBCHAPTER D. GEOSPATIAL DATA PRODUCTS

Sec. 2051.101. DEFINITIONS. In this subchapter:

(1) "Geospatial data product" means a document, computer file, or Internet website that contains:

(A) geospatial data;

(B) a map; or

(C) information about a service involving geospatial data or a map.

(2) "Governmental entity" has the meaning assigned by Section [2051.041](#).

(3) "Registered professional land surveyor" has the meaning assigned by Section [1071.002](#), Occupations Code.

Added by Acts 2011, 82nd Leg., R.S., Ch. 127 (H.B. [1147](#)), Sec. 1, eff. September 1, 2011.

Sec. 2051.102. NOTICE REQUIRED. (a) A governmental entity shall include a notice as provided by this subchapter on each geospatial data product that:

- (1) is created or hosted by the governmental entity;
- (2) appears to represent property boundaries; and
- (3) was not produced using information from an on-the-ground survey conducted by or under the supervision of a registered professional land surveyor or land surveyor authorized to perform surveys under laws in effect when the survey was conducted.

(b) The notice required under Subsection (a) must be in substantially the following form:

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

(c) The notice required under Subsection (a) may:

- (1) include language further defining the limits of liability of a geospatial data product producer;
- (2) apply to a geospatial data product that contains more than one map; or
- (3) for a notice that applies to a geospatial data product that is or is on an Internet website, be included on a separate page that requires the person accessing the website to agree to the terms of the notice before accessing the geospatial data product.

Added by Acts 2011, 82nd Leg., R.S., Ch. 127 (H.B. [1147](#)), Sec. 1, eff. September 1, 2011.

Sec. 2051.103. EXEMPTION. A governmental entity is not required to include the notice required under Section [2051.102](#) on a geospatial data product that:

- (1) does not contain a legal description, a property boundary monument, or the distance and direction of a property line;
- (2) is prepared only for use as evidence in a legal

proceeding;

(3) is filed with the clerk of any court; or

(4) is filed with the county clerk.

Added by Acts 2011, 82nd Leg., R.S., Ch. 127 (H.B. [1147](#)), Sec. 1, eff. September 1, 2011.

SUBCHAPTER E. UNIFORM ELECTRONIC LEGAL MATERIAL ACT

Sec. 2051.151. SHORT TITLE. This subchapter may be cited as the Uniform Electronic Legal Material Act.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. [402](#)), Sec. 1, eff. September 1, 2019.

Sec. 2051.152. DEFINITIONS. In this subchapter:

(1) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(2) "Legal material" means, whether or not in effect:

(A) the constitution of this state;

(B) the general or special laws passed in a regular or special session of the Texas Legislature; and

(C) a state agency rule adopted in accordance with Chapter [2001](#).

(3) "Official publisher" means:

(A) for legal material described by Subdivision (2)(A), the Texas Legislative Council; and

(B) for legal material described by Subdivision (2)(B) or (C), the secretary of state.

(4) "Publish" means displaying, presenting, or releasing to the public, or causing to be displayed, presented, or released to the public, legal material by the official publisher.

(5) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. [402](#)), Sec. 1, eff. September 1, 2019.

Sec. 2051.153. APPLICABILITY. (a) This subchapter applies to all legal material in an electronic record that is:

(1) designated as official by the official publisher under Section [2051.154](#); and

(2) first published electronically by the official publisher on or after January 1, 2021.

(b) The official publisher is not required to publish legal material on or before the date on which the legal material takes effect.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. [402](#)), Sec. 1, eff. September 1, 2019.

Sec. 2051.154. LEGAL MATERIAL IN OFFICIAL ELECTRONIC RECORD. (a) If the official publisher publishes legal material only in an electronic record, the official publisher shall:

(1) designate the electronic record as official; and

(2) comply with Sections [2051.155](#), [2051.157](#), and [2051.158](#).

(b) If the official publisher publishes legal material in an electronic record and also publishes the material in a record other than an electronic record, the official publisher may designate the electronic record as official if the official publisher complies with Sections [2051.155](#), [2051.157](#), and [2051.158](#).

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. [402](#)), Sec. 1, eff. September 1, 2019.

Sec. 2051.155. AUTHENTICATION OF OFFICIAL ELECTRONIC RECORD. (a) If the official publisher designates an electronic record as official in accordance with Section [2051.154](#), the official publisher shall authenticate the record.

(b) The official publisher authenticates an electronic record by providing a method with which a person viewing the electronic record is able to determine that the electronic record is unaltered from the official record published by the official publisher.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. [402](#)), Sec. 1, eff. September 1, 2019.

Sec. 2051.156. EFFECT OF AUTHENTICATION. (a) Legal material in an electronic record that is authenticated as provided by Section 2051.155 is presumed to be an accurate copy of the legal material.

(b) If another state has adopted a law that is substantially similar to this subchapter, legal material in an electronic record that is authenticated in that state is presumed to be an accurate copy of the legal material.

(c) A party contesting the authenticity of legal material in an electronic record authenticated as provided by Section 2051.155 has the burden of proving by a preponderance of the evidence that the record is not authentic.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. 402), Sec. 1, eff. September 1, 2019.

Sec. 2051.157. PRESERVATION AND SECURITY OF LEGAL MATERIAL IN OFFICIAL ELECTRONIC RECORD. (a) The official publisher of legal material in an electronic record designated as official in accordance with Section 2051.154 shall provide for the preservation and security of the record in an electronic form or in a form that is not electronic.

(b) If legal material is preserved under Subsection (a) in an electronic record, the official publisher shall:

(1) ensure the integrity of the record;

(2) provide for backup and disaster recovery of the record; and

(3) ensure the continuing usability of the legal material in the record.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. 402), Sec. 1, eff. September 1, 2019.

Sec. 2051.158. PUBLIC ACCESS. The official publisher of legal material in an electronic record that is required to be preserved under Section 2051.157 shall ensure that the material is reasonably available for use by the public on a permanent basis.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. 402), Sec. 1,

eff. September 1, 2019.

Sec. 2051.159. STANDARDS. In implementing this subchapter, the official publisher of legal material in an electronic record shall consider:

(1) the standards and practices of other jurisdictions;

(2) the most recent standards regarding authentication, preservation, and security of and public access to legal material in an electronic record and other electronic records, as adopted by national standard-setting bodies;

(3) the needs of users of legal material in electronic records;

(4) the views of governmental officials and entities and other interested persons; and

(5) to the extent practicable, the methods and technologies for the authentication, preservation, and security of and public access to legal material that are compatible with the methods and technologies used by official publishers in other states that have adopted a law that is substantially similar to this subchapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. [402](#)), Sec. 1, eff. September 1, 2019.

Sec. 2051.160. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this subchapter, consideration must be given to the need to promote uniformity of the law with respect to the subject matter of this subchapter among states that enact a law similar to this subchapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. [402](#)), Sec. 1, eff. September 1, 2019.

Sec. 2051.161. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify, limit, or supersede Section 101(c) of that Act (15 U.S.C. Section

7001(c)) or authorize electronic delivery of any of the notices described in Section 103(b) of that Act (15 U.S.C. Section 7003(b)).

Added by Acts 2019, 86th Leg., R.S., Ch. 159 (H.B. 402), Sec. 1, eff. September 1, 2019.

SUBCHAPTER F. INTERNET WEBSITE

Sec. 2051.201. INFORMATION REQUIRED ON WEBSITE. (a) This section applies only to a political subdivision with the authority to impose a tax that:

(1) at any time on or after January 1, 2019, maintained a publicly accessible Internet website; and

(2) is not subject to Section 2051.202.

(b) A political subdivision to which this section applies shall post on a publicly accessible Internet website the following information:

(1) the political subdivision's contact information, including a mailing address, telephone number, and e-mail address;

(2) each elected officer of the political subdivision;

(3) the date and location of the next election for officers of the political subdivision;

(4) the requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office;

(5) each notice of a meeting of the political subdivision's governing body under Subchapter C, Chapter 551; and

(6) each record of a meeting of the political subdivision's governing body under Section 551.021.

(c) Subsections (b)(5) and (6) do not apply to:

(1) a county with a population of less than 10,000;

(2) a municipality with a population of less than 5,000 located in a county with a population of less than 25,000; or

(3) a school district with a population of less than 5,000 in the district's boundaries and located in a county with a population of less than 25,000.

Added by Acts 2019, 86th Leg., R.S., Ch. 1029 (H.B. 305), Sec. 1, eff. September 1, 2019.

Redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 647 (H.B. 1154), Sec. 3, eff. September 1, 2021.

Sec. 2051.202. FINANCIAL AND OPERATING INFORMATION OF SPECIAL PURPOSE DISTRICTS. (a) In this section, "special purpose district" means a political subdivision of this state with geographic boundaries that define the subdivision's territorial jurisdiction. The term does not include a municipality, county, junior college district, independent school district, groundwater conservation district, river authority, or political subdivision with statewide jurisdiction.

(b) This section applies only to a special purpose district that:

(1) is authorized by the state by a general or special law to impose an ad valorem tax;

(2) during the most recent fiscal year imposed an ad valorem tax;

(3) during the most recent fiscal year:

(A) had bonds outstanding;

(B) had gross receipts from operations, loans, taxes, or contributions in excess of \$250,000; or

(C) had cash and temporary investments in excess of \$250,000; and

(4) at the beginning of the most recent fiscal year, had a population of 500 or more, as determined by the governing body of the special purpose district.

(c) Notwithstanding Subsections (a) and (b), this section applies to a district created and operating under Chapter 387, Local Government Code.

(d) A special purpose district shall post or cause to be posted on an Internet website the following information, if applicable:

(1) the name of the special purpose district;

(2) the name and term of office of each member of the governing body of the special purpose district;

- (3) the contact information for the main office of the special purpose district, including the physical address, the mailing address, and the telephone number;
- (4) the official contact information for each member of the governing body of the special purpose district;
- (5) if the special purpose district employs a person as a general manager or executive director, or in another position to perform duties or functions comparable to those of a general manager or executive director, the name of the general manager, executive director, or person that performs those duties;
- (6) if the special purpose district contracts with a utility operator, the contact information for a person representing the utility operator, including a mailing address and telephone number;
- (7) if the special purpose district contracts with a tax assessor-collector, the contact information for a person representing the tax assessor-collector, including a mailing address and telephone number;
- (8) if the special purpose district imposes an ad valorem tax, the rate of the ad valorem tax of the special purpose district;
- (9) if the special purpose district imposes a sales and use tax, the rate of the sales and use tax of the special purpose district;
- (10) any notice of tax hearing required to be given under Chapter 26, Tax Code, or Section 49.236, Water Code;
- (11) the location and schedule of meetings of the governing body of the special purpose district;
- (12) a statement substantially similar to the following: "Residents of the district have the right to request the designation of a meeting location within the district under Section 49.062(g), Water Code. A description of this process can be found at (insert link to the Internet website described by Section 49.062(g), Water Code).";
- (13) each notice of a meeting of the governing body of the special purpose district under Subchapter C, Chapter 551, for meetings conducted in the current calendar year and the immediately

preceding calendar year;

(14) the minutes of a public meeting of the governing body of the special purpose district under Section [551.021](#) for meetings conducted in the current calendar year and the immediately preceding calendar year; and

(15) the most recent financial audit of the special purpose district.

Redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 647 (H.B. [1154](#)), Sec. 3, eff. September 1, 2021.