

GOVERNMENT CODE

TITLE 3. LEGISLATIVE BRANCH

SUBTITLE C. LEGISLATIVE AGENCIES AND OVERSIGHT COMMITTEES

CHAPTER 324. LEGISLATIVE REFERENCE LIBRARY

Sec. 324.001. DEFINITIONS. In this chapter:

(1) "Library" means the Legislative Reference Library.

(2) "Board" means the Legislative Library Board.

(3) "Director" means the director of the library.

(4) "Legislative entity" means a member of the legislature, the lieutenant governor, an officer of the house or senate, or a legislative committee, department, or office, but does not include a legislative agency created by Subtitle C, Title 3.

(5) "Legislative record" means a record, including a state record or archival state record, created by a legislative entity. The term includes records described by Section [324.008\(b\)](#).

(6) "State record" and "archival state record" have the meanings assigned by Section [441.180](#).

Acts 1985, 69th Leg., ch. 479, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1250 (H.B. [4181](#)), Sec. 24, eff. June 14, 2019.

Sec. 324.002. ESTABLISHMENT. The Legislative Reference Library is an independent agency of the legislature.

Acts 1985, 69th Leg., ch. 479, Sec. 1, eff. Sept. 1, 1985.

Sec. 324.004. LEGISLATIVE LIBRARY BOARD. (a) The board controls and administers the library.

(b) The board consists of:

(1) the lieutenant governor;

(2) the speaker of the house of representatives;

(3) the chairman of the house appropriations committee;

(4) two members of the senate appointed by the

lieutenant governor; and

(5) one other member of the house appointed by the speaker.

(c) Members of the board serve without compensation but are entitled to reimbursement for actual and necessary expenses incurred in attending meetings and performing official functions.

(d) Actual and necessary expenses are paid from funds appropriated to the board.

Acts 1985, 69th Leg., ch. 479, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 2003, 78th Leg., ch. 1328, Sec. 7, eff. June 21, 2003.

Sec. 324.005. DIRECTOR. (a) The board shall appoint a director to serve at the pleasure of the board.

(b) The board shall set the salary of the director.

Acts 1985, 69th Leg., ch. 479, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 349, Sec. 1, eff. Sept. 1, 1989.

Sec. 324.006. PERSONNEL. (a) The director, with the approval of the board, may employ professional and clerical personnel.

(b) The board shall set the salaries of the personnel employed by the director.

Acts 1985, 69th Leg., ch. 479, Sec. 1, eff. Sept. 1, 1985.

Sec. 324.007. DUTIES. (a) The library shall be maintained for the use and information of members of the legislature, heads of state departments, and citizens of this state.

(b) The library shall contain, as may best be made available for legislative use, the following items:

(1) checklists and catalogues of current legislation in this and other states;

(2) catalogues of bills and resolutions presented in either house of the legislature;

(3) checklists of public documents in each state;

(4) checklists of all reports issued by each department, agency, board, or commission of this state;

(5) digests of public laws of this and other states;

(6) legislative records; and

(7) other items designated by the board or the director.

(c) The director and library employees shall provide any assistance requested by a member of the legislature in researching, analyzing, evaluating, and preparing bills and resolutions.

(d) The board shall adopt rules necessary to ensure the library's efficient operation.

Acts 1985, 69th Leg., ch. 479, Sec. 1, eff. Sept. 1, 1985.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1250 (H.B. [4181](#)), Sec. 25, eff. June 14, 2019.

Sec. 324.008. DEPOSIT AND MANAGEMENT OF DOCUMENTS.

(a) The library is a depository library as defined by Section [441.101](#) and shall receive state documents and publications from other states distributed by the Texas State Library.

(b) Each printed daily legislative journal, bill, resolution, or other legislative document shall be delivered daily to the library.

(c) At the close of each legislative session, each daily legislative journal, bill, or resolution possessed by the senate or house sergeant at arms shall be delivered to the library to be managed as a legislative record under Section [324.0085](#).

(d) The governing body of a state agency, as defined by Sections [2151.002](#)(1) and (3), shall deliver to the library and the Texas State Library and Archives Commission immediately after transcription a certified copy of the minutes of any meeting of the governing body. Any changes or corrections to the minutes shall also be delivered to the library and the Texas State Library and Archives Commission.

Acts 1985, 69th Leg., ch. 479, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1999, 76th Leg., ch. 281, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1312 (S.B. [59](#)), Sec. 25, eff. September 1, 2013.

Acts 2019, 86th Leg., R.S., Ch. 1250 (H.B. [4181](#)), Sec. 26,

eff. June 14, 2019.

Acts 2019, 86th Leg., R.S., Ch. 1250 (H.B. [4181](#)), Sec. 27,
eff. June 14, 2019.

Text of section as added by Acts 2019, 86th Leg., R.S., Ch. 1250
(H.B. [4181](#)), Sec. 28

For text of section as added by Acts 2019, 86th Leg., R.S., Ch. 533
(H.B. [1962](#)), Sec. 1, see other Sec. 324.0085.

Sec. 324.0085. LEGISLATIVE RECORDS. (a) In this section:

(1) "Commission," "records management officer," and
"state records administrator" have the meanings assigned by Section
[441.180](#).

(2) "Director and librarian of the commission" means
the chief executive and administrative officer of the Texas State
Library and Archives Commission.

(b) The library is the depository for legislative records.

(c) Except as otherwise provided by this chapter, a
legislative record must be managed by the director in the same
manner that a state record is managed under Subchapter [L](#), Chapter
[441](#). For a legislative record, with regard to the requirements of
Subchapter [L](#), Chapter [441](#):

(1) the board shall perform the functions and duties
of the commission; and

(2) the director shall perform the functions and
duties of:

- (A) the director and librarian of the commission;
- (B) the state records administrator; and
- (C) the records management officer.

(d) Legislative records shall be transferred to the library
or a depository outside the library under Section [324.0086](#), in
accordance with any applicable records retention schedule approved
by the director under this section.

(e) A legislative entity may retrieve, for temporary use,
records transferred by the legislative entity to the library or a
depository outside the library. The director and library employees
shall assist the legislative entity with retrieval of the records,
and the legislative entity shall return the records to the library

following the legislative entity's use.

(f) Under the direction of the legislative entity that created the records transferred to the library, or of the public information officer of the appropriate house of the legislature in the case of a former legislative entity, the director shall protect privileged or confidential legislative records held by the library or a depository outside the library from public disclosure.

(g) Under the direction of the public information officer of the legislative entity that transferred a legislative record to the library or an authorized depository outside the library, or of the public information officer of the appropriate house of the legislature in the case of a former legislative entity, the director shall respond to requests received under Chapter 552 for the legislative record. The director shall notify the public information officer responsible for the legislative record as soon as practicable after receiving a request described by this subsection.

(h) The director may:

(1) transfer legislative records to the Texas State Library and Archives Commission for management under Subchapter L, Chapter 441; and

(2) request the Texas State Library and Archives Commission to return to the library, without charge to the library, legislative records held by the commission.

(i) To the extent of any conflict, this section prevails over Chapter 441 or any other state law relating to the management of legislative records.

Added by Acts 2019, 86th Leg., R.S., Ch. 1250 (H.B. 4181), Sec. 28, eff. June 14, 2019.

Text of section as added by Acts 2019, 86th Leg., R.S., Ch. 533

(H.B. 1962), Sec. 1

For text of section as added by Acts 2019, 86th Leg., R.S., Ch. 1250

(H.B. 4181), Sec. 28, see other Sec. 324.0085.

Sec. 324.0085. LEGISLATIVE RECORDS. (a) The library is the depository for any record created or received by the office of a member of the legislature or the lieutenant governor during that

official's term of office.

(b) The legislative entity that transferred records to the library retains ownership and legal custody of those records, including records placed in a depository outside the library. The legislative entity may retrieve the records for the legislature's use. The director and library employees shall assist the legislative entity with retrieval of the records and shall return the records to the library following the legislature's use.

(c) The director shall protect privileged or confidential legislative records held by the library from public disclosure at the direction of the legislative entity that transferred the records to the library.

(d) The director shall receive requests under Chapter 552 for legislative records held by the library and respond as directed by the officer for public information of the legislative entity that transferred the records to the library. The director shall notify the appropriate officer for public information as soon as practicable after receiving a request described by this subsection. Added by Acts 2019, 86th Leg., R.S., Ch. 533 (H.B. 1962), Sec. 1, eff. September 1, 2019.

Sec. 324.0086. PLACEMENT IN OTHER DEPOSITORY. (a) A member of the legislature may apply to the board to place records that were created or received by the member's office during the member's term in a depository other than the library.

(b) The board shall:

(1) create a list of preapproved depositories in which members of the legislature may place records of their legislative offices; and

(2) by rule adopt policies and procedures to approve additional depositories.

(c) The director is responsible for the preservation of records described by Subsection (a) placed in a depository other than the library. Ownership and legal custody of the records remain with the legislature as provided by Section 324.0085. The records may not be intermingled with other holdings of the institution that serves as a depository.

Added by Acts 2019, 86th Leg., R.S., Ch. 533 (H.B. 1962), Sec. 1, eff. September 1, 2019.

Added by Acts 2019, 86th Leg., R.S., Ch. 1250 (H.B. 4181), Sec. 28, eff. June 14, 2019.

Sec. 324.009. GIFTS AND GRANTS. (a) The board may accept gifts, grants, and donations from any organization described in Section 501(c)(3) of the Internal Revenue Code for the purpose of funding any activity under this chapter.

(b) All gifts, grants, and donations must be accepted in an open meeting by a majority of the voting members of the board and reported in the public record of the board with the name of the donor and purpose of the gift, grant, or donation.

Added by Acts 1987, 70th Leg., ch. 617, Sec. 5, eff. Sept. 1, 1987.

Sec. 324.010. COPY COSTS; FORMAT. The library has exclusive authority to determine the charge for copies or reproduction of records in the custody of the library. The library may reproduce records in a format such as CD-ROM, another computer-readable format, or any other format determined by the library and provide records in that format for a charge determined by the library.

Added by Acts 1993, 73rd Leg., ch. 428, Sec. 6, eff. Aug. 30, 1993.