

Prather in Texas Observer on Texas Public Information Act Erosions

By Laura Lee Prather | April 5, 2018

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Texas Observer quoted Haynes Boone Partner [Laura Prather](#) in an examination of court decisions, Attorney General rulings and legislative changes that have curtailed government transparency and public access to open records.

To counter recent erosions of the Texas Public Information Act, advocates led by the Freedom of Information Foundation of Texas formed a task force with legislators leading up to the 2017 session of the Texas Legislature, but their efforts were stymied, *Texas Observer* [reported](#).

Here's an excerpt from the article:

"We all sat down and made our best effort to brainstorm on issues that need reform that we all agreed on," said Laura Prather, an open records attorney and co-chair of the foundation's legislative committee. The task force came up with an impressive lineup of reform legislation, including House and Senate proposals that sought to tighten response requirements for custodians of public records and would have closed the new loopholes opened by the Supreme Court.

As expected, the two main bills had bipartisan support. In March [2017], the Senate passed both overwhelmingly. But as the bills snaked through the legislative process, opposition from the business community mounted, particularly the powerful Texas Association of Business.

While lawmakers waged war over the bathroom bill and so-called sanctuary cities, the open records legislation idled in the House Government Transparency and Operation Committee. ... The single bill that open records activists managed to pass would have reinstated the right of plaintiffs to recoup attorney's fees after winning an open records lawsuit. [Gov. Greg] Abbott vetoed the bill, arguing in a statement that it would have created incentives for members of the public to sue right away.

The Legislature did pass a resolution calling for the creation of a committee to study loopholes, but no members have been appointed as of press time. "My hope is that it can only get better," Prather said. "There has to be a public outcry. There has to be a grassroots movement and a groundswell of support." ...

To read the full article, click [here](#).