

## 1 AN ACT

2 relating to the online availability of certain state publications.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Subchapter G, Chapter 441, Government Code, is  
5 amended by adding Section 441.1035 to read as follows:

6 Sec. 441.1035. STATE PUBLICATIONS DISTRIBUTED IN PHYSICAL  
7 FORMAT; NOTICE; ONLINE AVAILABILITY. (a) A state agency that  
8 distributes by subscription a state publication in a physical  
9 format, such as paper, tape, or disk, and without a fee or other  
10 cost to the subscriber shall make the publication accessible in an  
11 electronic format from the agency's Internet website.

12 (b) When distributing a state publication in a physical  
13 format, a state agency that makes the publication accessible on its  
14 Internet website must inform each subscriber to the publication  
15 that the subscriber may, instead of receiving a physical copy,  
16 access the publication at the agency's Internet website.

17 (c) If a subscriber prefers to access a publication at the  
18 state agency's Internet website and notifies the agency of that  
19 preference, the agency shall:

20 (1) remove the subscriber from the distribution list  
21 for that publication; and

22 (2) notify the subscriber electronically each time the  
23 publication becomes available at the agency's Internet website and  
24 provide an electronic link to the publication.

1 SECTION 2. This Act takes effect September 1, 2005.

David Dewhurst

President of the Senate

[Signature]

Speaker of the House

I certify that H.B. No. 423 was passed by the House on March 22, 2005, by a non-record vote.

[Signature]

Chief Clerk of the House

I certify that H.B. No. 423 was passed by the Senate on April 28, 2005, by the following vote: Yeas 31, Nays 0.

[Signature]

Secretary of the Senate

APPROVED:

9 MAY '05

Date

[Signature]

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
6:00 PM O'CLOCK

MAY 09 2005

[Signature]  
Secretary of State