



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Andrea Cunningham, City Secretary

Council Meeting Date: October 3, 2023

Agenda Item Wording: **Approval of a Resolution declaring Nonbusiness Days for the purposes of the Public Information Act.**

Agenda Item Requestor: Andrea Cunningham, City Secretary

Summary/Background: House Bill 3033, passed during the 2023 Regular Legislative Session, changed the requirements for business days related to Texas Government Code (TGC) Section 552, Public Information Act (Act). TGC Section 552.0031 now defines business days as a day other than Saturday or Sunday; a state or national holiday under TGC Section 662.003; the Friday before or Monday after a state or national holiday; or an "optional holiday" which includes only the days on which Rosh Hashanah, Yom Kippur, or Good Friday falls and if the Public Information Officer observes the day. The bill also allows for the designation of an additional ten (10) nonbusiness days by the governmental body.

The Act requires that requests for public information be responded to in ten (10) business days in order to meet statutory requirements related to the request for the exception of disclosure (redactions) of documents, or portions thereof, that are not otherwise allowed by statute or previous determination by the Attorney General.

With the approval of the 2024 Holiday Calendar, I have determined that there are two (2) holidays that do not fall under the definitions of nonbusiness days:

- April 8, 2024, Eclipse Day; and
- December 31, 2024, New Year's Eve.

The attached resolution and memo allow for the designation of these days as nonbusiness days and authorizes the City Administrator designation an additional eight (8) days as necessary.

Recommended Council Actions: Staff recommends approval of the resolution.

Attachments:

1. Approved 2024 Holiday Calendar
2. Resolution designating nonbusiness days
3. Attachment A: TGC Section 552.0031
4. Attachment B: Memo for additional designation of days

Next Steps/Schedule:

1. File resolution, with copy to the City Attorney, with City Record
2. Forward memo to City Administrator
3. Revise holidays in JustFOIA software
4. Inform staff of changes in procedure