



August 26th, 2026

Chairman Vasut and Members
House Select Committee on Governmental Oversight
Texas House of Representatives

RE: Written Testimony on the Texas Public Information Act

Chairman Vasut and Members of the Committee,

Thank you for the opportunity to provide comments regarding the Texas Public Information Act and opportunities to strengthen government transparency.

The premise of the Public Information Act should be straightforward: government conducts the people's business using authority and resources entrusted to it by the people. Texans should therefore enjoy a strong presumption of access to information concerning how their government operates.

Making government transparent is a priority of the Texas Liberty Compact. Transparency enables taxpayers to scrutinize spending, evaluate public officials, identify waste or misconduct, and meaningfully participate in the policymaking process. A government that is difficult to observe is difficult to hold accountable.

The Legislature should review existing Public Information Act exceptions with a presumption favoring disclosure. Legitimate exceptions are necessary to protect matters such as personal privacy, sensitive security information, and certain law enforcement activities. Exceptions should nevertheless be narrowly tailored and periodically justified rather than allowed to become increasingly broad barriers to public scrutiny.

Lawmakers should also examine whether governmental bodies can frustrate legitimate requests through excessive costs, unnecessary delays, demands for clarification, or expansive interpretations of disclosure exceptions. Access theoretically guaranteed by statute provides little transparency if obtaining public records requires substantial financial resources, specialized legal knowledge, or prolonged disputes.

Technology should make government more transparent, not less. Frequently requested records, including expenditures, contracts, meeting materials, financial information, and other routinely public documents, should increasingly be proactively published online in searchable and machine-readable formats. Greater proactive disclosure can improve public access while reducing the administrative burden and expense of responding repeatedly to identical requests.

The Legislature should also ensure that transparency follows governmental activity regardless of the technology or intermediary used. Public business should not become private merely because officials communicate through personal devices or accounts, nor should government evade transparency by outsourcing governmental functions or transferring public resources to private intermediaries.

Public notice requirements deserve similar scrutiny. Technical compliance is not necessarily meaningful notice. Texans should be able to easily discover when governmental bodies will meet, what they will consider, and where supporting materials can be reviewed before decisions are made.

The guiding principle should remain simple: government information is presumptively public, and government should bear the burden of demonstrating why withholding it is necessary. Texas should make government easier to observe, not harder.

Thank you for your consideration.

For Liberty, For Texas!

Jeremy D. Kitchen
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