



City of Texas City

REQUESTS FOR BODY WORN CAMERA VIDEOS

REQUESTING VIDEOS REQUESTS FOR BODY WORN CAMERA VIDEOS MUST BE MADE IN WRITING.

Texas State Law:

Public Requests for Videos must contain:

1. The date and time
2. Location
3. Name of one or more persons, known to be the subject of the recording

Texas State Law:

Police may not release any part of a video made in a private space or a recording of a misdemeanor punishable by fine only, without written permission from the person involved.

Texas State Law:

It is a crime to release video without permission from agency.

A video of a use of deadly force by an officer or the investigation of an officer cannot be released to the public until all criminal and administrative process have been completed.

A law enforcement agency may release a video if the agency determines that release of the video advances a law enforcement purpose.

Texas State Law:

Cost is \$10.00 for each body cam recording and a flat fee of \$1.00 per minute of footage required to be reviewed.

ADOPTED RULES

Adopted rules include new rules, amendments to existing rules, and repeals of existing rules. A rule adopted by a state agency takes effect 20 days after the date on which it is filed with the Secretary of State unless a later date is required by statute or specified in the rule (Government Code, §2001.036). If a rule is adopted without change to the text of the proposed rule, then the *Texas Register* does not republish the rule text here. If a rule is adopted with change to the text of the proposed rule, then the final rule text is included here. The final rule text will appear in the Texas Administrative Code on the effective date.

TITLE 1. ADMINISTRATION

PART 3. OFFICE OF THE ATTORNEY GENERAL

CHAPTER 70. COST OF COPIES OF PUBLIC INFORMATION

1 TAC §70.13

The Office of the Attorney General (OAG), Open Records Division, adopts §70.13, of Title 1 of the Texas Administrative Code, regarding the fee for obtaining a copy of a body worn camera recording, without changes as published in the July 22, 2016, issue of the *Texas Register* (41 TexReg 5286), and the new rule will not be republished.

Pursuant to §1701.661(g) of the Occupations Code, the OAG is to set a fee for obtaining a copy of a body worn camera recording. Section 1701.661(g) states this amount shall be sufficient to cover the cost of reviewing and making the recording when release of a body worn camera recording is required.

The new rule allows a law enforcement agency to recover costs for providing a copy of a body worn camera recording. It allows a law enforcement agency to charge a \$10.00 fee for each body worn camera recording provided. It also allows a flat fee of \$1.00 per minute of footage required to be reviewed if an identical copy has not previously been released.

No comments were received regarding the new rule.

The new rule is adopted under §1701.661(g) of the Occupations Code, which requires the OAG to set a proposed fee to obtain a copy of a body worn camera recording from a law enforcement agency under that section.

Chapter 552 of the Government Code is affected by this new rule.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on November 4, 2016.

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For further information, please call: (512) 475-4163

TITLE 7. BANKING AND SECURITIES

PART 6. CREDIT UNION DEPARTMENT

CHAPTER 91. CHARTERING, OPERATIONS, MERGERS, LIQUIDATIONS

SUBCHAPTER G. LENDING POWERS

7 TAC §91.709

The Credit Union Commission (Commission) adopts amendments to Texas Administrative Code Title 7, §91.709, Member Business Loans, with non-substantive changes from the proposed rule published in the July 22, 2016, issue of the *Texas Register* (41 TexReg 5301).

Section 15.402 of the Texas Finance Code authorizes the Commission to adopt reasonable rules for administering Title 2, Chapter 15 and Title 3, Subchapter D of the Finance Code (the "Texas Credit Union Act"). In adopting any such rules, the Legislature has directed the Commission to consider the need to:

1. promote a stable credit union environment;
2. provide credit union members with convenient, safe, and competitive services;
3. preserve and promote the competitive parity of credit unions with regard to other depository institutions consistent with the safety and soundness of credit unions; and
4. promote or encourage economic development in this state.

Section 121.0011 of the Texas Finance Code sets out the policy of the Texas Credit Union Act. In relevant part, it states: "The purposes of this subtitle are to delegate to the department rulemaking and discretionary authority that may be necessary to assure that credit unions operating under this subtitle may be sufficiently flexible and readily responsive to changes in economic conditions and practices, to maintain sound credit union growth ... to permit credit unions to effectively provide a full array of financial and financially related services, to provide effective supervision and regulation of credit unions and their fields of membership, and to clarify and modernize the law governing the credit unions doing business in this state. This subtitle is the public policy of this state and necessary to the public welfare." Furthermore, §121.004 of the Texas Finance Code expressly states: "This subtitle shall be liberally construed to effect its purposes."

As published, the amendments to the rule will promote a stable credit union environment, provide credit union members with