

SYSTEM REGULATION

61.01.01 Publications

Approved September 29, 1995

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Supplements System Policy 61.01

1. PUBLICATION OF MATERIALS

- 1.1 All publications, regardless of the source of funds used to print them, must include the date (month and year) the publication is produced. The date may be placed on the outside front cover, inside front cover or in the first two or three pages of the publication. A publication is defined as information in any format that is produced by the authority of or at the total or partial expense of a state agency or is required to be distributed under law by the agency and is publicly distributed outside the agency by or for the agency. The term publication does not include information the distribution of which is limited to contractors with or grantees of the agency, persons within the agency or within other government agencies, or members of the public under a request made under the open records law, Chapter 552.
- 1.2 Appropriated funds may be used for the publication and distribution of any notice, pamphlet, booklet, rules, regulations, or other matters of public interest, including agency records, if the subject matter is directly related to the statutory responsibilities of the respective department or agency. Money received from any charges specifically authorized by statute for such publications or records will be appropriated to the respective department or agency issuing the publications for use during the year in which the receipts are collected. The State Comptroller is to credit such receipts to the like appropriation item or items from which the printing costs are paid.
- 1.3 If the content or format of a publication is: (1) intended for use by the general public; (2) generally informational, promotional, or educational; and (3) not essential to the achievement of the primary objective(s) of the agency or institution, no appropriated funds shall be expended in the preparation and distribution of the publication unless its cost is totally reimbursed through revenue attributable to its publication or sale. Publications specifically exempted from this prohibition are the following: (1) annual reports and other materials that are required by statute and whose content deals only with topics set forth in the law; (2) compilations of law, rules, or regulations; (3) newsletters; (4) Attorney General opinions; and (5) State Comptroller opinions, revenue forecasts and fiscal analyses.
- 1.4 Appropriated funds shall not be used to print publications of any type which prominently display the name or picture of statewide elected officials.

2. DISTRIBUTION OF REPORTS

- 2.1 Funds may not be expended for distributing reports, pamphlets or other printed matter to Members of the Legislature and other state officials unless the following provisions have been met: (a) a copy of the printed matter has been deposited with the Legislative Reference Library, and (b) notification has been sent to Members of the Legislature and other state officials that the material is on file and that, upon request, the number of copies requested will be sent to the requestor. A brief written summary that describes the publication shall be included with the notice. These restrictions shall not prevent the mailing of reports required by general law.
- 2.2 All units of state government which expend appropriated state funds to publish periodicals on quarterly intervals, or more frequently than quarterly intervals, at no charge, shall insert each year in three consecutive issues of such periodicals a notice indicating that anyone desiring to continue to receive the publication must so indicate in writing. The agency shall furnish future publications only to those persons who respond and request to be kept on the mailing list.
- 2.3 Each System component must designate a publications contact person, who will maintain a record of the component's state publications and furnish to the Texas State Library a list of new state publications as they become available. Each System component shall distribute copies of appropriate publications to the Texas State Library as required by Section 441.103 of the Texas Government Code.
- 2.4 When a state publication is released in an electronic format, the System component must provide the Texas State Library on-line access to the publication or copies of the publication on an electronic external storage device. If a System component is allowing public on-line access to a state publication, the component shall also provide the Texas State Library with at least one free on-line connection to the publication.

3. SALE OF GRAPHIC ARTS AND PRINTING SERVICES

Agencies and institutions shall establish rates and charges for the sale of graphic arts and printing services to other state agencies. The rates and charges shall recover the full costs of producing these services without exceeding such costs.

4. RECYCLED PAPER

A state agency that issues reports or other publications for general distribution, including distribution to Members of the Legislature, shall use recycled paper to the greatest extent possible in the production of the publications when it is cost effective to do so.

CONTACT FOR INTERPRETATION: The System Office of Communications

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