

**CHAPTER 408**

H.B. No. 2136

AN ACT

relating to the restricted access by the public to rare books, original manuscripts, personal papers, unpublished letters, and audio and video tapes held by an institution of higher education for the purposes of historical research.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 51.910, Education Code, is amended to read as follows:

Sec. 51.910. **INTERVIEWS FOR HISTORICAL PURPOSES AND COLLECTIONS OF RARE BOOKS, ORIGINAL MANUSCRIPTS, PERSONAL PAPERS, UNPUBLISHED LETTERS, AND AUDIO AND VIDEO TAPES.** (a) An oral interview that is obtained for historical purposes by an agreement of confidentiality between an interview-

ee and a state institution of higher education is not public information. The interview becomes public information when the conditions of the agreement of confidentiality have been met.

*(b) Rare books, original manuscripts, personal papers, unpublished letters, and audio and video tapes held by an institution of higher education for the purposes of historical research are confidential, and the institution may restrict access by the public to those materials to protect the actual or potential value of the materials and the privacy of the donors.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 15, 1987, by the following vote: Yeas 135, Nays 1, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2136 on May 25, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 19, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.