



Update: Calculation of Business Days and COVID-19

As part of the unprecedented response to coronavirus in Texas, and in light of the Governor's recent disaster declaration, our office has received inquiries regarding the calculation of business days under the Public Information Act (the "Act") and related use of the new temporary suspension process under section 552.233 of the Government Code.

Section 552.233 of the Government Code permits a governmental body impacted by a catastrophe or disaster to suspend the applicability of the Act for up to 14 calendar days. Use of the section 552.233 suspension process is appropriate where a governmental body is open for business but determines that a catastrophe has interfered with its ability to comply with the Act. A section 552.233 suspension is not necessary if the governmental body is not open for business or if the applicable suspension period does not otherwise encompass a business day, as described below.

In order to provide additional clarification regarding the calculation of business days during the state response to the coronavirus, governmental bodies should consider the following guidelines when calculating business days:

- Holidays observed by the governmental body are not business days.
- Weekends are not business days.
- Skeleton crew days are not business days.
- A day on which a governmental body's administrative offices are closed is not a business day.
- If a governmental body has closed its physical offices for purposes of a public health or epidemic response or if a governmental body is unable to access its records on a calendar day, then such day is not a business day, even if staff continues to work remotely or staff is present but involved directly in the public health or epidemic response.