CHAPTER 604

H.B. No. 677

AN ACT
relating to violations of laws administered and enforced by the Texas Ethics Commission and to sworn complaints alleging such violations.

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

SECTION 1. Subchapter C, Chapter 571, Government Code, is amended by adding Section 571.0631 to read as follows:

Sec. 571.0631. RULES CONCERNING TECHNICAL AND CLERICAL VIOLATIONS. The commission shall adopt rules prescribing procedures for investigating and resolving technical and clerical violations of laws within the commission's jurisdiction. For registrations and reports filed under Chapter 305, the commission shall consider clerical violations to include obvious typographical errors. A registrant filing a registration or report under Chapter 305 may correct obvious typographical errors without penalty by filing either a corrected registration or report or an updated or amended registration or report.

SECTION 2. Section 571.122, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) To be eligible to file a sworn complaint with the commission, an individual must be a resident of this state or must own real property in this state. A copy of one of the following documents must be attached to the complaint:

(1) the complainant's driver's license or personal identification certificate issued under Chapter 521, Transportation Code, or commercial driver's license issued under Chapter 522, Transportation Code;

(2) a utility bill, bank statement, government check, paycheck, or other government document that:
  (A) shows the name and address of the complainant; and
  (B) is dated not more than 30 days before the date on which the complaint is filed; or

(3) a property tax bill, notice of appraised value, or other government document that:
  (A) shows the name of the complainant;
  (B) shows the address of real property in this state; and
  (C) identifies the complainant as the owner of the real property.

SECTION 3. Subchapter E, Chapter 571, Government Code, is amended by adding Section 571.142 to read as follows:

Sec. 571.142. LIABILITY FOR RESPONDENT'S COSTS. (a) This section applies only to a sworn complaint if:

(1) the complaint was filed after the 30th day before the date of an election;

(2) the respondent is a candidate in the election; and

(3) the complaint alleges a violation other than a technical or clerical violation.

(b) If, in disposing of a sworn complaint to which this section applies, the commission determines that a violation within the commission's jurisdiction has not occurred, the complainant is liable for the respondent's reasonable and necessary attorney's fees and other costs incurred in defending against the complaint.

(c) This section does not apply to a sworn complaint regarding a reporting omission required by law.
SECTION 4. Section 571.122, Government Code, as amended by this Act, and Section 571.142, Government Code, as added by this Act, apply only to a sworn complaint filed with the Texas Ethics Commission on or after September 1, 2009.

SECTION 5. This Act takes effect September 1, 2009.

Passed by the House on April 28, 2009: Yeas 107, Nays 36, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 677 on May 29, 2009: Yeas 129, Nays 2, 1 present, not voting; passed by the Senate, with amendments, on May 26, 2009: Yeas 30, Nays 1.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 605

H.B. No. 694

AN ACT

relating to Gonzales Healthcare Systems.

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

SECTION 1. Section 1032.051(b), Special District Local Laws Code, is amended to read as follows:

(b) Directors serve staggered four-year terms [are established under Section 285.081, Health and Safety Code].

SECTION 2. Section 1032.052, Special District Local Laws Code, is amended to read as follows:

Sec. 1032.052. NOTICE OF ELECTION. Notice of the election of directors shall be published in accordance with Section 4.003, Election Code, in a newspaper or newspapers that individually or collectively have general circulation in the district.

SECTION 3. Section 1032.110, Special District Local Laws Code, is amended to read as follows:

Sec. 1032.110. CONSTRUCTION CONTRACTS. A construction contract that involves the expenditure of more than $10,000 may be made only after competitive bidding [is required] in the manner provided by Subchapter B, Chapter 271 and Subchapter C, Chapter 262, Local Government Code.

SECTION 4. Subchapter D, Chapter 1032, Special District Local Laws Code, is amended by adding Section 1032.161 to read as follows:

Sec. 1032.161. GENERAL AUTHORITY TO BORROW MONEY; SECURITY. (a) The board may borrow money at a rate not to exceed the maximum annual percentage rate allowed by law for district obligations at the time the loan is made.

(b) To secure a loan, the board may pledge:

(1) district revenue that is not pledged to pay the district’s bonded indebtedness;

(2) a district tax to be imposed by the district in the next 12-month period following the date of the pledge that is not pledged to pay the principal of or interest on district bonds; or

(3) a district bond that has been authorized but not sold.

(c) A loan for which taxes or bonds are pledged must mature not later than the first anniversary of the date the loan is made. A loan for which district revenue is pledged must mature not later than the fifth anniversary of the date the loan is made.

SECTION 5. Subchapter E, Chapter 1032, Special District Local Laws Code, is amended by adding Sections 1032.209 and 1032.210 to read as follows:

1388