

BILL ANALYSIS

Senate Research Center

S.B. 397
By: Gallegos
Intergovernmental Relations
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As Filed

DIGEST

Currently, a council of government created under Chapter 391, Local Government Code, cannot have an officer or employee serve as an investment officer. The original intent of the codified section was to prohibit an officer or employee from serving in a local government capacity and governmental capacity under Chapter 399. This bill prohibits a person from serving in a dual capacity, but allows a regional planning commission officer or employee to serve as required.

PURPOSE

As proposed, S.B. 397 prohibits a person from serving in a dual capacity, but allows a regional planning commission officer or employee to serve as required.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2256.005(h), Government Code, to provide that an officer or employee of a commission which is a regional planning commission, council of government, or similar planning agency (commission) created under Chapter 391, Local Government Code, is ineligible to be an investment officer for the commission under Subsection (f) if the officer or employee is an investment officer designated under Subsection (f) for another local government. Makes a conforming change.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.