

## **BILL ANALYSIS**

Senate Research Center

S.B. 183  
By: Nixon  
State Affairs  
2/23/1999  
As Filed

### **DIGEST**

In 1997, the Texas Legislature passed S.B. 145 to establish uniform procedures on the acceptance of gifts for all state agencies authorized to accept gifts. S.B. 145 requires the majority of a governing board of a state agency to vote in an open meeting to approve accepting a gift valued at \$500 or more. A state agency accepting a gift must record the name of the donor, a description of the gift, and a statement of the purpose of the gift in the state agency's governing board minutes or appropriate state agency records, if the state agency does not have a governing board. A state agency is prohibited from accepting a gift from a person who is a party to a contested case before the state agency receiving the gift, until the 30th day after the date the decision in the case becomes final. Donations of perishable food items or seasonable items cannot be made because it may take several months before the state agency's governing board acts on the offer of the donation. This bill would authorize a state agency to accept a gift valued at \$500 or more, and then have the state agency's governing board acknowledge acceptance of the gift in an open meeting within 90 days.

### **PURPOSE**

As proposed, S.B. 183 authorizes a state agency to accept a gift valued at \$500 or more, and then have the state agency's governing board acknowledge acceptance of the gift in an open meeting within 90 days.

### **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 575.003, Government Code, to authorize a state agency that has a governing board to accept a gift only if a majority of the governing board acknowledges the acceptance of the gift, rather than approves accepting the gift, in an open meeting no later than the 90th day after the date the gift is accepted.

SECTION 2. Effective date: September 1, 1999.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.