

BILL ANALYSIS

Senate Research Center
79R9852 ESH-F

H.B. 2511
By: Denny (Harris)
State Affairs
5/5/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, appointed state officers, like elected state officials, are required to file personal financial statements with the Texas Ethics Commission (commission). It is unclear whether these appointed officials are required to continue to file these statements after their period of service has ended. This is especially true for appointed officers who resign, but whose successors have not yet been qualified for the office, and for appointed officers whose office is abolished. H.B. 2511 clarifies that appointed officers are not required to file financial statements after the effective date of a resignation or after an agency is abolished or its functions are transferred to another agency.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 572, Government Code, by adding Section 572.0211, as follows:

Sec. 572.0211. FILING BY HOLDOVER OFFICER NOT REQUIRED. (a) Provides that an appointed officer who resigns from office and who ceases to participate in the state agency's functions is not required to file a financial statement that is due because of service in that office after the effective date of the resignation.

(b) Provides that an appointed officer whose term of office expires and who ceases to participate in the functions of the state agency is not required to file a financial statement that is due because of service in that office after the date the term of office expires.

(c) Provides that an appointed officer of a state agency that is abolished or whose functions are transferred to another state agency is not required to file a financial statement that is due because of service after the date that the agency is abolished or the functions of the agency are transferred.

(d) Requires an appointed officer who resigns or whose term of office expires who does not intend to participate in the functions of the state agency to deliver written notice of the officer's intention to the governor and the Texas Ethics Commission (commission).

SECTION 2. Amends Section 572.021, Government Code, to require a state officer, a partisan or independent candidate for an office as an elected officer, and a party chairman, to file with the commission a verified financial statement complying with Sections 572.022 through 572.0252, except as provided by Section 572.0211.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2005.