

AN ACT

relating to the application of nepotism prohibitions to a person appointed or employed by a school district as a bus driver.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 573.061, Government Code, is amended to read as follows:

Sec. 573.061. GENERAL EXCEPTIONS. Section 573.041 does not apply to:

(1) an appointment to the office of a notary public or to the confirmation of that appointment;

(2) an appointment of a page, secretary, attendant, or other employee by the legislature for attendance on any member of the legislature who, because of physical infirmities, is required to have a personal attendant;

(3) a confirmation of the appointment of an appointee appointed to a first term on a date when no individual related to the appointee within a degree described by Section 573.002 was a member of or a candidate for the legislature, or confirmation on reappointment of the appointee to any subsequent consecutive term;

(4) an appointment or employment of a bus driver by a school district if:

(A) the district is located wholly in a county with a population of less than 35,000; ~~or~~

(B) the district is located in more than one

1 county and the county in which the largest part of the district is
2 located has a population of less than 35,000; or

3 (C) the board of trustees of the district
4 approves the appointment or employment;

5 (5) an appointment or employment of a personal
6 attendant by an officer of the state or a political subdivision of
7 the state for attendance on the officer who, because of physical
8 infirmities, is required to have a personal attendant;

9 (6) an appointment or employment of a substitute
10 teacher by a school district;

11 (7) an appointment or employment of a person by a
12 municipality that has a population of less than 200; or

13 (8) an appointment of an election clerk under Section
14 [32.031](#), Election Code, who is not related in the first degree by
15 consanguinity or affinity to an elected official of the authority
16 that appoints the election judges for that election.

17 SECTION 2. The change in law made by this Act applies only
18 to the appointment or employment of a person by a school district on
19 or after the effective date of this Act. A person who is appointed
20 or employed by a school district before the effective date of this
21 Act is governed by the law in effect at the time the person was
22 appointed or employed, and the former law is continued in effect for
23 that purpose.

24 SECTION 3. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 1789 was passed by the House on April 11, 2023, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1789 was passed by the Senate on May 16, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor