

BILL ANALYSIS

H.B. 289
By: Chisum
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently an entity may not receive a monetary award from the Office of Rural Community Affairs (ORCA) if a member of the Board of ORCA or its executive director has a financial interest in that entity, even if the member or executive director recuses him or herself from the vote.

Because well qualified candidates for the ORCA Board or executive director position are often from entities that would otherwise qualify for monetary awards, H.B. 289 will provide the opportunity for entities to be considered for a monetary award even if a board member or the executive director has a financial interest in the entity, without compromising the integrity of the process.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 487, Government Code, by adding Sec. 487.059 as follows:

Defines "Financial interest in an entity" and "Monetary Award."

The executive director or a member of the executive committee or another committee who has a financial interest in a monetary award is required to disclose the fact at the time of the vote.

The affected executive director or committee member may not vote on or participate in any discussion or activity regarding the monetary award.

If the affected executive director or member is not in compliance with this section, the entity is not eligible for the monetary award.

SECTION 2. Effective date.

EFFECTIVE DATE

September 1, 2003 unless the Act receives the vote necessary for immediate effect.