

By: Ellis

S.B. No. 1047

A BILL TO BE ENTITLED

AN ACT

relating to protecting state and local officers from certain consequences based on their legislative actions.

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

SECTION 1. Subchapter C, Chapter 572, Government Code, is amended by adding Section 572.059 to read as follows:

Sec. 572.059. INDEPENDENCE OF STATE AND LOCAL OFFICERS ACTING IN LEGISLATIVE CAPACITY. (a) For purposes of this section, an officer acts in a legislative capacity if the officer:

(1) takes an action permitted by law regarding a legislative measure in the officer's official capacity; or

(2) proposes, endorses, or expresses support for or against a legislative measure or takes any action permitted by law to support or oppose a legislative measure.

(b) In this section, "legislative measure" includes a bill, ordinance, order, rule, or policy of general application.

(c) To protect the independence of state and local legislative officers, a state or local officer acting in a legislative capacity may not be subject to disciplinary action or a sanction, penalty, disability, or liability for that action in connection with the officer's practice of a licensed or regulated profession or occupation.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2003.