

Amend HB 2 by adding the following appropriately numbered SECTIONS to Part C, Article 2, of the bill and renumbering the subsequent SECTIONS of Part C accordingly:

SECTION 2C.___. Subchapter E, Chapter 11, Education Code, is amended by adding Section 11.2011 to read as follows:

Sec. 11.2011. FILING OF FINANCIAL STATEMENT BY SUPERINTENDENT. (a) The commissioner shall adopt rules requiring a superintendent to file a verified financial statement with:

- (1) the board of trustees of the district; and
- (2) the agency.

(b) A financial statement filed under Subsection (a) must include the information prescribed by Section 572.023(b)(1), Government Code. The commissioner shall create a form for a superintendent to use in filing the financial statement.

(c) Section 527.026, Government Code, applies to the timeliness of filing a financial statement under this section as if the superintendent were a state officer, except that a superintendent must file any request for an extension authorized under that section with the commissioner. The commissioner shall make available to any interested person and shall place on the agency's Internet website each financial statement filed with the agency under this section.

(d) A superintendent commits an offense if the superintendent fails to file the statement required by this section. An offense under this section is a Class B misdemeanor.

SECTION 2C.___. Subchapter B, Chapter 44, Education Code, is amended by adding Section 44.047 to read as follows:

Sec. 44.047. CERTAIN SCHOOL DISTRICT SERVICE CONTRACTS INVOLVING SUPERINTENDENTS PROHIBITED. (a) In this section, "business entity" has the meaning assigned by Section 171.001, Local Government Code.

(b) For purposes of this section, a superintendent or a retired superintendent has a substantial interest in a business entity if the superintendent would have a substantial interest in that business entity under Section 171.002(a), Local Government

Code.

(c) The commissioner shall adopt rules prohibiting the board of trustees of a school district from entering into, with the superintendent, with a person who has retired from service as the superintendent of the district during the three-year period preceding the date on which the contract is entered into, or with a business entity in which the superintendent or retired superintendent has a substantial interest, a contract under which the district agrees to pay for services provided to the district.

(d) The rules adopted by the commissioner under Subsection (c) must allow a person who has retired from service as the superintendent of a school district to provide consulting services to the district until the six-month anniversary of the date of the person's retirement.

SECTION 2C.___. Section 11.2011, Education Code, as added by this Act, applies beginning January 1, 2007. A superintendent subject to Section 11.2011, Education Code, as added by this Act, is not required to include financial activity occurring before January 1, 2006, in a verified financial statement required under Section 11.2011, Education Code, as added by this Act.

SECTION 2C.___. Section 44.047, Education Code, as added by this Act, applies only to a contract executed on or after the effective date of this Act. A contract executed before the effective date of this Act is governed by the law as it existed on the date the contract was executed, and the former law is continued in effect for that purpose.