

BILL ANALYSIS

Senate Research Center
79R8038 ATP-D

H.B. 2154
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Intergovernmental Relations
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, an elected county or precinct officer may decline compensation by filing an affidavit within five days of taking office, stating the decision not to be paid for the officer's services. As written, this procedure allows candidates to campaign by claiming that they will not accept compensation if elected, but does not require them to follow through with the campaign promise. H.B. 2154 attempts to prevent this by authorizing a candidate to file an irrevocable affidavit at any time during the election, stating that the candidate intends to decline compensation if elected.

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 D, Chapter 152, Local Government Code, by adding Section 152.0525, as follows:

Sec. 152.0525. CANDIDATE MAY DECLINE COMPENSATION. (a) Defines "compensation."

(b) Authorizes a person who is a candidate for a county or precinct office, at any time before the election, to file with the county clerk an affidavit stating that the person elects to decline the compensation that would be paid to the person during the following term of office for the person's service as a county or precinct officer if the person were elected to the office. Requires the county clerk promptly to send a copy of the affidavit to the county payroll officer.

(c) Provides that if a person who declines compensation under Subsection (b) is elected to the office for the term of office for which compensation was declined, the declination takes effect on the date the person takes office and continues in effect for that term of office. Prohibits the officer from revoking the declination during that term of office.

SECTION 2. Effective date: upon passage or September 1, 2005.