

BILL ANALYSIS

Senate Research Center
79R14457 E

C.S.S.B. 1778
By: Van de Putte
Education
4/22/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law does not require junior college district trustees to file disclosure information with the Texas Ethics Commission. At the very least, junior college districts are considered quasi-state agencies. Junior college boards of trustees are elected officials and should, therefore, be subject to the same disclosure filings as other state officials.

C.S.S.B. 1778 requires junior college trustees to file financial statements with the Texas Ethics Commission; provides that a trustee who becomes a candidate for another elected office is automatically considered to have vacated the trustee position; and prohibits campaign funds raised for certain offices from being used for other purposes.

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 E, Chapter 130, Education Code, by adding Section 130.0831, as follows:

Sec. 130.0831. **FILING OF FINANCIAL STATEMENT BY TRUSTEE.** (a) Provides that this section applies only to certain junior college districts.

(b) Requires a member of the board of trustees of a junior college district to file the financial statement required of state officers under Subchapter B (Personal Financial Statement), Chapter 572, Government Code, with the board of trustees of the junior college district and the Texas Ethics Commission.

(c) Provides that Subchapter B, Chapter 572, Government Code, applies to a trustee of a junior college district as if the trustee were a state officer and governs the contents, timeliness of filing, and public inspection of a statement filed under this section.

(d) Provides that a trustee subject to this section commits an offense if the trustee fails to file the statement required by this section. Provides that an offense under this section is a Class B misdemeanor.

SECTION 2. Amends Chapter 144, Election Code, by adding Section 144.0021, as follows:

Sec. 144.0021. **CANDIDACY FOR OTHER OFFICE.** Requires, if an elected officer subject to this chapter becomes a candidate by announcing an intention to be a candidate or filing for a place on the ballot, for any elected office other than an office covered by this chapter, such announcement or candidacy constitutes an automatic resignation of the office held and the vacancy created is required to be filled pursuant to applicable law.

SECTION 3. Amends Section 253.004, Election Code, by adding Subsection (a-1), to prohibit funds collected or held by a political committee established in connection with a candidacy for an elected office covered by Chapter 144 from being expended for any other purpose. Provides that this subsection does not apply to a charitable contribution.

SECTION 4. Provides that Section 130.0831, Education Code, as added by this Act, applies beginning January 1, 2007. Provides that a trustee subject to Section 130.0831, Education Code, as added by this Act, is not required to include financial activity occurring before January 1, 2006, in a financial statement required under Section 130.0831, Education Code, as added by this Act.

SECTION 5. Effective date: September 1, 2005.