

BILL ANALYSIS

H.B. 590
By: Delisi
Government Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current statutes governing state employee ethics policies state that these employees "should not" do certain acts that would reasonably be interpreted to compromise their ethics. House Bill 590 changes this to "shall not" and requires agencies to adopt ethics policies consistent with their policies and to inform newly hired employees of these policies.

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

The bill would amend the Government Code so that state officers and employees "shall not," (requiring) rather than "should not," (suggesting) take the actions covered by the state agency ethics policy.

The bill also requires the Attorney General, in coordination with the Texas Ethics Commission (commission) to develop a model policy that state agencies may use in adopting an agency ethics policy no later than November 1, 2007. However, the commission would have no authority over a violation of the provisions in this bill.

Likewise, the bill requires each state agency to adopt a written ethics policy and to distribute copies of the policy to each employee, no later than January 1, 2008, and to new employee within the first three days of employment.

Lastly, the bill makes non-substantive, conforming changes.

EFFECTIVE DATE

September 1, 2007.