

BILL ANALYSIS

H.B. 694
By: Smithee
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, an elected county or precinct officer may decline compensation by filing an affidavit within 5 days after taking office stating that the officer elects not to be paid for the officer's services. This allows a candidate to campaign for the office by claiming that they will not accept compensation if elected, but then changing his/her mind and accepting compensation after the candidate is elected.

H.B. 694 attempts to prevent this situation from occurring by adding a new section to the Local Government Code stating that a candidate for a county or precinct office may file an affidavit at any time before the election stating that the candidate elects to decline the compensation that would be paid to that person if elected to the position

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

H.B. 694 amends the Local Government Code by allowing a candidate for a county or precinct office to file an affidavit at any time before the election stating that the person elects to decline compensation for serving during the following term of office if the person is elected. Once an affidavit is filed, the county clerk must promptly send a copy of the affidavit to the county payroll officer. If a person who declines compensation in this manner is elected, the declination takes effect on the date the person takes office and stays in effect for the term of office. The bill requires that the officer may not revoke the declination of compensation during the term of office. The bill defines "compensation" as including paid benefits and salary.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.