

By: Hill

H.B. No. 402

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a criminal violation of the open meetings law committed  
3 by a member of an appraisal district board of directors and to a  
4 prohibition on certain communications between the chief executive  
5 officer or a member of the governing body of a taxing unit and a  
6 chief appraiser or a member of an appraisal district board of  
7 directors; providing penalties.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

9 SECTION 1. Section 551.143, Government Code, is amended by  
10 amending Subsection (b) and adding Subsection (c) to read as  
11 follows:

12 (b) Except as provided by Subsection (c), an [Aa] offense  
13 under Subsection (a) is a misdemeanor punishable by:

14 (1) a fine of not less than \$100 or more than \$500;

15 (2) confinement in the county jail for not less than  
16 one month or more than six months; or

17 (3) both the fine and confinement.

18 (c) An offense under Subsection (a) committed by a member or  
19 group of members of an appraisal district board of directors is a  
20 misdemeanor punishable by:

21 (1) a fine of not less than \$200 or more than \$1,000;

22 (2) confinement in the county jail for not less than  
23 two months or more than one year; or

24 (3) both the fine and confinement.

1 SECTION 2. Section 551.144, Government Code, is amended by  
2 amending Subsection (b) and adding Subsection (b-1) to read as  
3 follows:

4 (b) Except as provided by Subsection (b-1), an [An] offense  
5 under Subsection (a) is a misdemeanor punishable by:

6 (1) a fine of not less than \$100 or more than \$500;

7 (2) confinement in the county jail for not less than  
8 one month or more than six months; or

9 (3) both the fine and confinement.

10 (b-1) An offense under Subsection (a) committed by a member  
11 of an appraisal district board of directors is a misdemeanor  
12 punishable by:

13 (1) a fine of not less than \$200 or more than \$1,000;

14 (2) confinement in the county jail for not less than  
15 two months or more than one year; or

16 (3) both the fine and confinement.

17 SECTION 3. Subchapter A, Chapter 6, Tax Code, is amended by  
18 adding Section 6.15 to read as follows:

19 Sec. 6.15. EX PARTE COMMUNICATIONS; PENALTY. (a) The chief  
20 executive officer or a member of the governing body of a taxing unit  
21 commits an offense if the officer or member directly or indirectly  
22 communicates with the chief appraiser or a member of the board of  
23 directors of an appraisal district that appraises property for the  
24 taxing unit on any matter relating to the appraisal of property by  
25 the appraisal district, except in:

26 (1) an open meeting of:

27 (A) the appraisal district board of directors; or

1                   (B) the governing body of the taxing unit; or

2                   (2) another public forum.

3                   (b) An offense under this section is a Class C misdemeanor.

4                   SECTION 4. The changes in law made by this Act to Sections  
5 551.143 and 551.144, Government Code, apply only to an offense  
6 committed on or after the effective date of this Act. An offense  
7 under Section 551.143 or 551.144, Government Code, committed before  
8 the effective date of this Act is governed by the law in effect on  
9 the date the offense was committed, and the former law is continued  
10 in effect for that purpose.

11                   SECTION 5. This Act takes effect September 1, 2007.