

By: Truitt, Anchia

H.B. No. 1735

Substitute the following for H.B. No. 1735:

By: Anchia

C.S.H.B. No. 1735

A BILL TO BE ENTITLED

AN ACT

relating to ethics training for legislators.

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

SECTION 1. Subchapter C, Chapter 571, Government Code, is amended by amending Section 571.071 and adding Sections 571.0711, 571.0712, and 571.0713 to read as follows:

Sec. 571.071. REQUIRED ETHICS TRAINING FOR LEGISLATORS ~~[+~~
~~GUIDELINES]~~. (a) A member or member-elect of the legislature must complete the ethics training required by this section.

(b) The commission shall ~~[+~~

~~[(1)]~~ provide training ~~[by January of each odd-numbered year]~~ for members and members-elect of the legislature concerning compliance with the laws administered and enforced by the commission. The training must:

(1) focus primarily on compliance by a member of or candidate for the legislature with requirements for reporting political contributions and expenditures under Chapter 254, Election Code;

(2) be designed to use the best practices developed for training programs of other state agencies, including the training provided by the attorney general under Section 552.012;

(3) be delivered through a variety of means, including seminars, digital versatile discs (DVDs), transmission over the Internet, or another appropriate electronic manner;

1 (4) subject to Subsection (d), be regularly revised to
2 reflect changes in law; and

3 (5) include a mechanism by which a person required to
4 complete ethics training under this section may provide to the
5 commission the person's evaluation of the understandability and
6 usefulness of the training.

7 (c) A person required to complete ethics training under this
8 section must complete a three-hour initial training session not
9 later than the 90th day after the date the person is first elected
10 or appointed to the legislature.

11 (d) Not later than 90 days after the effective date of any
12 substantive changes, as determined by the commission, in the law
13 described by Subsection (b)(1), the commission shall provide
14 revised training related to the changes. A person required to
15 complete ethics training under this section must complete the
16 revised training not later than the 60th day after the date the
17 commission makes the revised training available.

18 (e) After the initial training session under Subsection
19 (c), a person must complete a one-hour training session not later
20 than the second anniversary of the date the person completed the
21 most recent training session under this section, including training
22 provided under Subsection (d).

23 (f) A member or member-elect of the legislature may
24 designate one or more persons employed by the member or
25 member-elect to participate in the ethics training provided under
26 this section. The completion of the training by a person employed
27 by a member or member-elect does not satisfy the member's or

1 member-elect's obligation to complete the training.

2 (g) The commission shall post on its Internet website the
3 name and address of each person required to complete ethics
4 training under this section who has failed to complete the required
5 training. The commission shall post information under this
6 subsection not later than the 15th day after the last date by which
7 the person is required to complete the ethics training. The
8 commission shall remove from the commission's Internet website
9 information posted under this subsection as soon as practicable
10 after the person completes the required training.

11 (h) The commission shall issue a certificate of course
12 completion to each person who completes ethics training required
13 under this section. The certificate of course completion must
14 describe the laws covered by the training. A certificate of course
15 completion is admissible as evidence in a criminal prosecution for
16 a violation of a law covered by the training, but evidence that a
17 defendant completed training under this section is not prima facie
18 evidence that the defendant knowingly violated a law covered by the
19 training.

20 Sec. 571.0711. ETHICS TRAINING FOR STATE EMPLOYEES. The
21 commission shall ~~, and~~

22 ~~[(2)]~~ provide, in cooperation with state agencies, a
23 program of ethics training for state employees.

24 Sec. 571.0712. COMPLIANCE GUIDELINES. ~~[(b)]~~ The commission
25 may disseminate, through pamphlets and seminars, explanations and
26 compliance guidelines concerning any law administered and enforced
27 by the commission.

1 Sec. 571.0713. SEMINARS FOR LOBBYISTS. (a) [~~(c)~~] The
2 commission may provide a seminar for persons required to register
3 under Chapter 305 that addresses issues involving lobbying,
4 political contributions and expenditures, and other issues as
5 determined by the commission.

6 (b) The commission may charge a fee for attending the
7 seminar in an amount necessary to cover the costs associated with
8 the seminar.

9 SECTION 2. A person who on January 1, 2008, serves as a
10 member of the legislature must complete the ethics training
11 required by Section 571.071, Government Code, as amended by this
12 Act, not later than April 1, 2008. A person who after January 1,
13 2008, is elected or appointed to the legislature must complete the
14 ethics training required by Section 571.071, Government Code, as
15 amended by this Act, in compliance with that section.

16 SECTION 3. This Act takes effect January 1, 2008.