

1 AN ACT

2 relating to prohibiting the investment of state funds in certain  
3 private business entities doing business in Sudan.

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

5 SECTION 1. LEGISLATIVE FINDINGS. (a) On July 23, 2004,  
6 the United States Congress declared that "the atrocities unfolding  
7 in Darfur, Sudan, are genocide."

8 (b) On September 9, 2004, Secretary of State Colin L. Powell  
9 told the United States Senate Committee on Foreign Relations that  
10 "genocide has occurred and may still be occurring in Darfur" and  
11 "the Government of Sudan and the Janjaweed bear responsibility."

12 (c) On September 21, 2004, addressing the United Nations  
13 General Assembly, President George W. Bush affirmed the secretary  
14 of state's finding and stated, "At this hour, the world is  
15 witnessing terrible suffering and horrible crimes in the Darfur  
16 region of Sudan, crimes my government has concluded are genocide."

17 (d) On December 7, 2004, the United States Congress noted  
18 that the genocidal policy in Darfur has led to reports of  
19 "systematic rape of thousands of women and girls, the abduction of  
20 women and children, and the destruction of hundreds of ethnically  
21 African villages, including the poisoning of their wells and the  
22 plunder of their crops and cattle upon which the people of such  
23 villages sustain themselves."

24 (e) Also on December 7, 2004, the United States Congress

1 found that "the Government of Sudan has restricted access by  
2 humanitarian and human rights workers to the Darfur area through  
3 intimidation by military and security forces, and through  
4 bureaucratic and administrative obstruction, in an attempt to  
5 inflict the most devastating harm on those individuals displaced  
6 from their villages and homes without any means of sustenance or  
7 shelter."

8 (f) On September 25, 2006, the United States Congress  
9 reaffirmed that "the genocide unfolding in the Darfur region of  
10 Sudan is characterized by acts of terrorism and atrocities directed  
11 against civilians, including mass murder, rape, and sexual violence  
12 committed by the Janjaweed and associated militias with the  
13 complicity and support of the National Congress Party-led faction  
14 of the Government of Sudan."

15 (g) On September 26, 2006, the United States House of  
16 Representatives stated that "an estimated 300,000 to 400,000 people  
17 have been killed by the Government of Sudan and its Janjaweed allies  
18 since the Darfur crisis began in 2003, more than 2,000,000 people  
19 have been displaced from their homes, and more than 250,000 people  
20 from Darfur remain in refugee camps in Chad."

21 (h) The Darfur crisis represents the first time the United  
22 States government has labeled ongoing atrocities a genocide.

23 (i) The United States government has imposed sanctions  
24 against the Government of Sudan since 1997. These sanctions are  
25 monitored through the United States Treasury Department's Office of  
26 Foreign Assets Control (OFAC).

27 (j) According to a former chair of the United States

1 Securities and Exchange Commission, "the fact that a foreign  
2 company is doing material business with a country, government, or  
3 entity on OFAC's sanctions list is, in the SEC staff's view,  
4 substantially likely to be significant to a reasonable investor's  
5 decision about whether to invest in that company."

6 (k) Since 1993, the United States secretary of state has  
7 determined that Sudan is a country the government of which has  
8 repeatedly provided support for acts of international terrorism,  
9 thereby incurring restrictions of United States assistance,  
10 defense exports and sales, and financial and other transactions  
11 with the Government of Sudan.

12 (l) A 2006 United States House of Representatives report  
13 states that "a company's association with sponsors of terrorism and  
14 human rights abuses, no matter how large or small, can have a  
15 materially adverse result on a public company's operations,  
16 financial condition, earnings, and stock prices, all of which can  
17 negatively affect the value of an investment."

18 (m) In response to the financial risk posed by investments  
19 in companies doing business with a terrorist-sponsoring state, the  
20 Securities and Exchange Commission established its Office of Global  
21 Security Risk to provide for enhanced disclosure of material  
22 information regarding such companies.

23 (n) The current Sudan divestment movement encompasses  
24 nearly 100 universities, cities, states, and private pension plans.

25 (o) Companies facing such widespread divestment present  
26 further material risk to remaining investors.

27 (p) It is a fundamental responsibility of the state to

1 decide where, how, and by whom financial resources in its control  
2 should be invested, taking into account numerous pertinent factors.

3 (q) It is the prerogative and desire of the state, in  
4 respect to investment resources in its control and to the extent  
5 reasonable, with due consideration for, among other things,  
6 fiduciary standards imposed by law, on behalf of itself and its  
7 investment beneficiaries, not to participate in an ownership or  
8 capital-providing capacity with entities that provide significant  
9 practical support for genocide, including certain non-United  
10 States companies presently doing business in Sudan.

11 (r) It is the judgment of the legislature that this Act  
12 should remain in effect only insofar as it continues to be  
13 consistent with, and does not unduly interfere with, the foreign  
14 policy of the United States as determined by the United States  
15 government.

16 (s) This Act is not intended to interfere with the  
17 performance of the fiduciary duties of a manager of funds subject to  
18 this Act.

19 (t) It is the judgment of the legislature that mandatory  
20 divestment of public funds from certain companies is a measure that  
21 should be employed sparingly and judiciously. A congressional and  
22 presidential declaration of genocide satisfies this high  
23 threshold.

24 SECTION 2. Subtitle A, Title 8, Government Code, is amended  
25 by adding Chapter 806 to read as follows:

1           CHAPTER 806. PROHIBITION ON INVESTMENT IN SUDAN

2                   SUBCHAPTER A. GENERAL PROVISIONS

3           Sec. 806.001. DEFINITIONS. In this chapter:

4                   (1) "Active business operations" means all business  
5 operations that are not inactive business operations.

6                   (2) "Business operations" means engaging in commerce  
7 in any form in Sudan, including by acquiring, developing,  
8 maintaining, owning, selling, possessing, leasing, or operating  
9 equipment, facilities, personnel, products, services, personal  
10 property, real property, or any other apparatus of business or  
11 commerce.

12                   (3) "Company" means a sole proprietorship,  
13 organization, association, corporation, partnership, joint  
14 venture, limited partnership, limited liability partnership,  
15 limited liability company, or other entity or business association  
16 whose securities are publicly traded, including a wholly owned  
17 subsidiary, majority-owned subsidiary, parent company, or  
18 affiliate of those entities or business associations, that exists  
19 to make a profit.

20                   (4) "Complicit" means taking actions that have  
21 directly supported or promoted the genocidal campaign in Darfur,  
22 including:

23                           (A) preventing members of Darfur's victimized  
24 population from communicating with each other;

25                           (B) encouraging Sudanese citizens to speak out  
26 against an internationally approved security force for Darfur; or

27                           (C) actively working to deny, cover up, or alter

1 the record on human rights abuses in Darfur.

2 (5) "Direct holdings in a company" means all  
3 securities of that company held directly by a state governmental  
4 entity in an account or fund in which a state governmental entity  
5 owns all shares or interests.

6 (6) "Government of Sudan" means the government in  
7 Khartoum, Sudan, which is led by the National Congress Party,  
8 formerly known as the National Islamic Front, or any successor  
9 government formed on or after October 13, 2006, including the  
10 coalition National Unity Government agreed upon in the  
11 Comprehensive Peace Agreement for Sudan. The term does not include  
12 the regional government of southern Sudan.

13 (7) "Inactive business operations" means the mere  
14 continued holding or renewal of rights to property previously  
15 operated to generate revenue but not presently deployed to generate  
16 revenue.

17 (8) "Indirect holdings in a company" means all  
18 securities of that company held in an account or fund, such as a  
19 mutual fund, managed by one or more persons not employed by a state  
20 governmental entity, in which the state governmental entity owns  
21 shares or interests together with other investors not subject to  
22 this chapter. The term does not include money invested under a plan  
23 described by Section 401(k) or 457 of the Internal Revenue Code of  
24 1986.

25 (9) "Listed company" means a company listed by the  
26 comptroller under Section 806.051.

27 (10) "Marginalized populations of Sudan" includes:

1           (A) the portion of the population in the Darfur  
2 region that has been genocidally victimized;

3           (B) the portion of the population of southern  
4 Sudan victimized by Sudan's North-South civil war;

5           (C) the Beja, Rashidiya, and other similarly  
6 underserved groups of eastern Sudan;

7           (D) the Nubian and other similarly underserved  
8 groups in Sudan's Abyei, Southern Blue Nile, and Nuba Mountain  
9 regions; and

10          (E) the Amri, Hamadab, Manasir, and other  
11 similarly underserved groups of northern Sudan.

12          (11) "Military equipment" means weapons, arms,  
13 military supplies, and equipment that readily may be used for  
14 military purposes, including radar systems or military-grade  
15 transport vehicles or supplies or services sold or provided  
16 directly or indirectly to any force actively participating in armed  
17 conflict in Sudan.

18          (12) "Mineral extraction activities" includes  
19 exploring, extracting, processing, transporting, or wholesale  
20 selling or trading of elemental minerals or associated metal alloys  
21 or oxides (ore), including gold, copper, chromium, chromite,  
22 diamonds, iron, iron ore, silver, tungsten, uranium, and zinc, as  
23 well as facilitating those activities, including by providing  
24 supplies or services in support of those activities.

25          (13) "Oil-related activities" includes:

26           (A) owning rights to oil blocks;

27           (B) exporting, extracting, producing, refining,

1 processing, exploring for, transporting, selling, or trading of  
2 oil;

3 (C) constructing, maintaining, or operating a  
4 pipeline, refinery, or other oil-field infrastructure; or

5 (D) facilitating oil-related activities,  
6 including by providing supplies or services in support of the  
7 activities, except that the mere retail sale of gasoline and  
8 related consumer products is not an oil-related activity.

9 (14) "Power production activities" means any business  
10 operation that involves a project commissioned by the National  
11 Electricity Corporation of Sudan or another similar Government of  
12 Sudan entity whose purpose is to facilitate power generation and  
13 delivery, including establishing power-generating plants or  
14 hydroelectric dams, selling or installing components for the  
15 project, and providing service contracts related to the  
16 installation or maintenance of the project, as well as facilitating  
17 those activities, including by providing supplies or services in  
18 support of those activities.

19 (15) "Scrutinized company" means a company that:

20 (A) engages in scrutinized business operations  
21 described by Section 806.002; or

22 (B) has been complicit in the Darfur genocide  
23 during any preceding 20-month period.

24 (16) "Social development company" means a company  
25 whose primary purpose in Sudan is to provide humanitarian goods or  
26 services, including medicine or medical equipment, agricultural  
27 supplies or infrastructure, educational opportunities,



1 journalism-related activities, information or information  
2 materials, spiritual-related activities, services of a purely  
3 clerical or reporting nature, food, clothing, or general consumer  
4 goods that are unrelated to oil-related activities, mineral  
5 extraction activities, or power production activities.

6 (17) "State governmental entity" means the Employees  
7 Retirement System of Texas or the Teacher Retirement System of  
8 Texas.

9 (18) "Substantial action" means adopting,  
10 publicizing, and implementing a formal plan to cease scrutinized  
11 business operations within one year and to refrain from any such new  
12 business operations, undertaking significant humanitarian efforts  
13 on behalf of one or more marginalized populations of Sudan, or,  
14 through engagement with the Government of Sudan, materially  
15 improving conditions for the genocidally victimized population in  
16 Darfur.

17 Sec. 806.002. SCRUTINIZED BUSINESS OPERATIONS. A company  
18 engages in scrutinized business operations if:

19 (1) the company has business operations that involve  
20 contracts with or providing supplies or services to the Government  
21 of Sudan, a company in which the Government of Sudan has any direct  
22 or indirect equity share, a Government of Sudan-commissioned  
23 consortium or project, or a company involved in a Government of  
24 Sudan-commissioned consortium or project, and:

25 (A) more than 10 percent of the company's  
26 revenues or assets linked to Sudan involve oil-related activities  
27 or mineral extraction activities, less than 75 percent of the

1 company's revenue or assets linked to Sudan involve contracts with  
2 or provision of oil-related or mineral extracting products or  
3 services to the regional government of southern Sudan or a project  
4 or consortium created exclusively by that regional government, and  
5 the company has failed to take substantial action; or

6 (B) more than 10 percent of the company's revenue  
7 or assets linked to Sudan involve power production activities, less  
8 than 75 percent of the company's power production activities  
9 include projects whose intent is to provide power or electricity to  
10 the marginalized populations of Sudan, and the company has failed  
11 to take substantial action; or

12 (2) the company supplies military equipment in Sudan,  
13 unless:

14 (A) the company clearly shows that the military  
15 equipment cannot be used to facilitate offensive military actions  
16 in Sudan; or

17 (B) the company implements rigorous and  
18 verifiable safeguards to prevent use of that equipment by forces  
19 actively participating in armed conflict, including:

20 (i) using post-sale tracking of the  
21 equipment by the company;

22 (ii) obtaining certification from a  
23 reputable and objective third party that the equipment is not being  
24 used by a party participating in armed conflict in Sudan; or

25 (iii) selling the equipment solely to the  
26 regional government of southern Sudan or any internationally  
27 recognized peacekeeping force or humanitarian organization.

1       Sec. 806.003. SOCIAL DEVELOPMENT COMPANY. Notwithstanding  
2 any other law, a social development company that is not complicit in  
3 the Darfur genocide is not a scrutinized company.

4       Sec. 806.004. EXCEPTION. Notwithstanding any other law, a  
5 company that the United States government affirmatively declares to  
6 be excluded from its federal sanctions regime relating to Sudan is  
7 not subject to divestment or investment prohibition under this  
8 chapter.

9       Sec. 806.005. OTHER LEGAL OBLIGATIONS. With respect to  
10 actions taken in compliance with this chapter, including all good  
11 faith determinations regarding companies as required by this  
12 chapter, a state governmental entity is exempt from any conflicting  
13 statutory or common law obligations, including any obligations with  
14 respect to making investments, divesting from any investment,  
15 preparing or maintaining any list of companies, or choosing asset  
16 managers, investment funds, or investments for the state  
17 governmental entity's securities portfolios.

18       Sec. 806.006. INDEMNIFICATION OF STATE GOVERNMENTAL  
19 ENTITIES, EMPLOYEES, AND OTHERS. In a cause of action based on an  
20 action, inaction, decision, divestment, investment, company  
21 communication, report, or other determination made or taken in  
22 connection with this chapter, the state shall, without regard to  
23 whether the person performed services for compensation, indemnify  
24 and hold harmless for actual damages, court costs, and attorney's  
25 fees adjudged against, and defend:

26           (1) an employee, a member of the governing body, or any  
27 other officer of a state governmental entity;

1           (2) a contractor of a state governmental entity;

2           (3) a former employee, former member of the governing  
3 body, or any other former officer of a state governmental entity who  
4 was an employee or officer when the act or omission on which the  
5 damages are based occurred; and

6           (4) a former contractor of a state governmental entity  
7 who was a contractor when the act or omission on which the damages  
8 are based occurred.

9           Sec. 806.007. NO PRIVATE CAUSE OF ACTION. (a) A person,  
10 including a member, retiree, and beneficiary of a retirement system  
11 to which this chapter applies, an association, a research firm, a  
12 company, or any other person may not sue or pursue a private cause  
13 of action against the state, a state governmental entity, an  
14 employee, a member of the governing body, or any other officer of a  
15 state governmental entity, or a contractor of a state governmental  
16 entity, for any claim or cause of action, including breach of  
17 fiduciary duty, or for violation of any constitutional, statutory,  
18 or regulatory requirement in connection with any action, inaction,  
19 decision, divestment, investment, company communication, report,  
20 or other determination made or taken in connection with this  
21 chapter.

22           (b) A person who files suit against the state, a state  
23 governmental entity, an employee, a member of the governing body,  
24 or any other officer of a state governmental entity, or a contractor  
25 of a state governmental entity, is liable for paying the costs and  
26 attorney's fees of a person sued in violation of this section.

27           [Sections 806.008-806.050 reserved for expansion]

1                   SUBCHAPTER B. DUTIES REGARDING INVESTMENTS

2                   Sec. 806.051. LISTED COMPANIES. (a) The comptroller shall  
3 prepare and maintain, and provide to each state governmental  
4 entity, a list of all scrutinized companies. In maintaining the  
5 list of scrutinized companies, the comptroller may review and rely,  
6 as appropriate in the comptroller's judgment, on publicly available  
7 information regarding companies with business operations in Sudan,  
8 including information provided by the state, nonprofit  
9 organizations, research firms, international organizations, and  
10 governmental entities.

11                   (b) The comptroller shall update the list of scrutinized  
12 companies annually or more often as the comptroller considers  
13 necessary, but not more often than quarterly, based on information  
14 from, among other sources, those listed in Subsection (a).

15                   (c) Not later than the 30th day after the date the list of  
16 scrutinized companies is first provided or updated, the comptroller  
17 shall file the list of scrutinized companies with the presiding  
18 officer of each house of the legislature and the attorney general.

19                   Sec. 806.052. IDENTIFICATION OF INVESTMENT IN LISTED  
20 COMPANIES. Not later than the 14th day after the date a state  
21 governmental entity receives the list provided under Section  
22 806.051(c), the state governmental entity shall notify the  
23 comptroller of the listed companies in which the state governmental  
24 entity owns direct or indirect holdings.

25                   Sec. 806.053. NOTICE TO LISTED COMPANY ENGAGED IN INACTIVE  
26 BUSINESS OPERATIONS. For each listed company identified under  
27 Section 806.052 that is engaged in only inactive scrutinized

1 business operations, the state governmental entity shall send a  
2 written notice informing the company of this chapter and  
3 encouraging the company to continue to refrain from initiating  
4 active business operations in Sudan until it is able to avoid being  
5 considered a listed company. The state governmental entity shall  
6 continue the correspondence as the entity considers necessary, but  
7 is not required to initiate correspondence more often than  
8 semiannually.

9 Sec. 806.054. ACTIONS RELATING TO LISTED COMPANY ENGAGED IN  
10 ACTIVE BUSINESS OPERATIONS. (a) For each listed company  
11 identified under Section 806.052 that is engaged in scrutinized  
12 active business operations, the state governmental entity shall  
13 send a written notice informing the company of its listed company  
14 status and warning the company that it may become subject to  
15 divestment by state governmental entities.

16 (b) The notice shall offer the company the opportunity to  
17 clarify its Sudan-related activities and shall encourage the  
18 company, not later than the 90th day after the date the company  
19 receives notice under this section, to either cease its scrutinized  
20 business operations or convert such operations to inactive business  
21 operations in order to avoid qualifying for divestment by state  
22 governmental entities.

23 (c) If, during the time provided by Subsection (b), the  
24 company ceases scrutinized business operations, the comptroller  
25 shall remove the company from the list of scrutinized companies and  
26 this chapter will no longer apply to the company unless it resumes  
27 scrutinized business operations.

1       (d) If, during the time provided by Subsection (b), the  
2 company converts its scrutinized active business operations to  
3 inactive business operations, the company is subject to all  
4 provisions of this chapter relating to inactive business  
5 operations.

6       (e) If, after the time provided by Subsection (b) expires,  
7 the listed company continues to have scrutinized active business  
8 operations, the state governmental entity shall sell, redeem,  
9 divest, or withdraw all publicly traded securities of the company,  
10 except securities described by Section 806.057, according to the  
11 schedule provided by Section 806.056.

12       Sec. 806.055. ACTIONS RELATING TO LISTED COMPANY COMPLICIT  
13 IN GENOCIDE. (a) For each company identified under Section  
14 806.052 that has been complicit, the state governmental entity  
15 shall send a written notice informing the company of its listed  
16 company status and warning the company that it may become subject to  
17 divestment by the state governmental entity.

18       (b) The notice must require the listed company to refrain  
19 from taking any further action that would make it complicit.

20       (c) If, after receiving the notice under Subsection (a), the  
21 listed company takes additional action that makes the company  
22 complicit, the state governmental entity shall sell, redeem,  
23 divest, or withdraw all publicly traded securities of the company,  
24 except securities described by Section 806.057, according to the  
25 schedule provided by Section 806.056.

26       Sec. 806.056. DIVESTMENT OF ASSETS. (a) A state  
27 governmental entity required to sell, redeem, divest, or withdraw

1 all publicly traded securities of a listed company shall comply  
2 with the following schedule:

3 (1) at least 50 percent of those assets shall be  
4 removed from the state governmental entity's assets under  
5 management not later than the 270th day after the date the company  
6 receives notice under Section 806.054 or 806.055 or Subsection (b);  
7 and

8 (2) 100 percent of those assets shall be removed from  
9 the state governmental entity's assets under management not later  
10 than the 450th day after the date the company receives notice under  
11 Section 806.054 or 806.055 or Subsection (b).

12 (b) If a company that ceased scrutinized active business  
13 operations after receiving notice under Section 806.054 resumes  
14 scrutinized active business operations, the state governmental  
15 entity shall send a written notice to the company informing it that  
16 the state governmental entity will sell, redeem, divest, or  
17 withdraw all publicly traded securities of the scrutinized company  
18 according to the schedule in Subsection (a).

19 (c) A state governmental entity may delay the schedule for  
20 divestment under Subsection (a) only to the extent that the state  
21 governmental entity determines, in the state governmental entity's  
22 good faith judgment, that divestment from listed companies will  
23 likely result in a loss in value described by Section 806.058(a).  
24 If a state governmental entity delays the schedule for divestment,  
25 the state governmental entity shall submit a report to the  
26 presiding officer of each house of the legislature and the attorney  
27 general stating the reasons and justification for the state



1 governmental entity's delay in divestment from listed companies.  
2 The report must include documentation supporting its determination  
3 that the divestment would result in a loss in value described by  
4 Section 806.058(a), including objective numerical estimates. The  
5 state governmental entity shall update the report every six months.

6 Sec. 806.057. INVESTMENTS EXEMPTED FROM DIVESTMENT. A  
7 state governmental entity is not required to divest from any  
8 indirect holdings in actively managed investment funds or private  
9 equity funds. The state governmental entity shall submit letters  
10 to the managers of investment funds containing listed companies  
11 requesting that they consider removing those companies from the  
12 fund or create a similar actively managed fund with indirect  
13 holdings devoid of listed companies. If the manager creates a  
14 similar fund with substantially the same management fees and same  
15 level of investment risk, the state governmental entity shall  
16 replace all applicable investments with investments in the similar  
17 fund in an expedited time frame consistent with prudent fiduciary  
18 standards.

19 Sec. 806.058. AUTHORIZED INVESTMENT IN LISTED COMPANIES.

20 (a) A state governmental entity may cease divesting from or may  
21 reinvest in one or more listed companies if clear and convincing  
22 evidence shows that the value for all assets under management by the  
23 state governmental entity becomes equal to or less than 99.7  
24 percent of the hypothetical value of all assets under management by  
25 the state governmental entity had the state governmental entity not  
26 divested from listed companies under this chapter.

27 (b) A state governmental entity may invest in a listed

1 company as provided by this section only to the extent necessary to  
2 ensure that the value of the assets managed by the state  
3 governmental entity does not fall below the value described by  
4 Subsection (a).

5 (c) Before a state governmental entity may invest in a  
6 listed company under this section, the state governmental entity  
7 must provide a written report to the presiding officer of each house  
8 of the legislature and the attorney general setting forth the  
9 reason and justification, supported by clear and convincing  
10 evidence, for its decisions to cease divestment, to reinvest, or to  
11 remain invested in a listed company.

12 (d) The state governmental entity shall update the report  
13 required by Subsection (c) semiannually, as applicable.

14 (e) This section does not apply to reinvestment in a company  
15 that has ceased to be a listed company.

16 Sec. 806.059. PROHIBITED INVESTMENTS. Except as provided  
17 by Sections 806.004 and 806.058, a state governmental entity may  
18 not acquire securities of a listed company.

19 [Sections 806.060-806.100 reserved for expansion]

20 SUBCHAPTER C. EXPIRATION; REPORT; ENFORCEMENT

21 Sec. 806.101. EXPIRATION OF CHAPTER. This chapter expires  
22 on the earliest of:

23 (1) the date on which the United States Congress or the  
24 president of the United States declares that the Darfur genocide  
25 has been halted for at least 12 months;

26 (2) the date on which the United States revokes its  
27 sanctions against the Government of Sudan; or

1           (3) the date on which the United States Congress or the  
2 president of the United States, through legislation or executive  
3 order, declares that mandatory divestment of the type provided for  
4 in this chapter interferes with the conduct of United States  
5 foreign policy.

6           Sec. 806.102. REPORT. Not later than December 31 of each  
7 year, each state governmental entity shall file a publicly  
8 available report with the presiding officer of each house of the  
9 legislature, the attorney general, and the United States  
10 presidential special envoy to Sudan that:

11           (1) identifies all investments sold, redeemed,  
12 divested, or withdrawn in compliance with Section 806.056;

13           (2) identifies all prohibited investments under  
14 Section 806.059; and

15           (3) summarizes any changes made under Section 806.057.

16           Sec. 806.103. ENFORCEMENT. The attorney general may bring  
17 any action necessary to enforce this chapter.

18           SECTION 3. Not later than January 1, 2008, the comptroller  
19 of public accounts shall prepare and provide to each state  
20 governmental entity, as defined by Section 806.001, Government  
21 Code, as added by this Act, the list of scrutinized companies  
22 required by Section 806.051, Government Code, as added by this Act.

23           SECTION 4. This Act takes effect January 1, 2008.

S.B. No. 247

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 247 passed the Senate on March 20, 2007, by the following vote: Yeas 29, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 247 passed the House on May 16, 2007, by the following vote: Yeas 146, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor