

House Bill 2468
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SECTION 1. Section 159.003, Local Government Code, is amended to read as follows:

Sec. 159.003. FINANCIAL STATEMENT REQUIRED. (a) A county officer, ~~or a~~ candidate for a county office, justice of the peace, or candidate for the office of justice of the peace shall file a financial statement as required by this subchapter.

(b) The statement must:

- (1) be filed with the county clerk of the county in which the officer, justice, or candidate resides; and
- (2) comply with Sections 572.022 and 572.023, Government Code.

SECTION 2. Sections 159.004(a), (c), and (d), Local Government Code, are amended to read as follows:

(a) A county officer or justice of the peace shall file the financial statement required by this subchapter within the time prescribed by Section 572.026, Government Code.

SENATE VERSION

SECTION 1. Section 159.001, Local Government Code, is amended to read as follows:

Sec. 159.001. APPLICABILITY OF SUBCHAPTER.

This subchapter applies only to:

- (1) a county officer or candidate for a county office of a county with a population of 100,000 or more; or
- (2) a justice of the peace or a candidate for the office of justice of the peace of a county with a population of 125,000 or more.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

House Bill 2468
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

A candidate for office as a county officer or justice of the peace shall file the financial statement required by this subchapter within the time prescribed by Section 572.027, Government Code.

(c) A county officer or justice of the peace may request the county clerk to grant an extension of time of not more than 60 days for filing the statement. The county clerk shall grant the request if it is received before the filing deadline or if a timely filing or request for extension is prevented because of physical or mental incapacity. The county clerk may not grant more than one extension to a person in one year except for good cause shown.

(d) The county clerk may not grant an extension to a candidate for office as a county officer or justice of the peace.

SECTION 3. Section 159.007(c), Local Government Code, is amended to read as follows:

(c) The county clerk may, and on notification from a former county officer, justice of the peace, or candidate shall, destroy any financial statements filed by the officer, justice, or candidate two years after the date the person ceases to be an officer, justice, or candidate, as applicable.

SECTION 4. Section 159.0071, Local Government Code, is amended to read as follows:

SECTION 4. Same as House version.

SECTION 5. Section 159.0071, Local Government Code, is amended to read as follows:

House Bill 2468
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

Sec. 159.0071. NOTIFICATION TO PROSECUTING ATTORNEY. The county clerk of each county shall maintain a list of the county officers, ~~and~~ candidates for county office, justices of the peace, and candidates for the office of justice of the peace required to file a financial statement under this subchapter. Not later than the 10th day after each applicable filing deadline, the county clerk shall provide to the county attorney or criminal district attorney a copy of the list showing for each county officer, ~~and~~ candidate for county office, justice of the peace, and candidate for justice of the peace:

- (1) whether the officer, justice, or candidate timely filed a financial statement as required by this subchapter;
- (2) whether the officer, justice, or candidate timely requested and was granted an extension of time to file as provided for by Section 159.004 and the new due date for each such officer, justice, or candidate; or
- (3) whether the officer, justice, or candidate did not timely file a financial statement or receive an extension of time.

SECTION 5. Sections 159.008(a) and (c), Local Government Code, are amended to read as follows:

(a) A county officer, ~~or a~~ candidate for county office, justice of the peace, or candidate for the office of justice of the peace commits an offense if the officer, justice, or candidate knowingly fails to file a financial statement as

SENATE VERSION

Sec. 159.0071. NOTIFICATION TO PROSECUTING ATTORNEY. The county clerk of each county in which a person is required to file a financial statement under this chapter shall maintain a list of the county officers, ~~and~~ candidates for county office, justices of the peace, and candidates for the office of justice of the peace required to file the [a] financial statement [under this subchapter]. Not later than the 10th day after each applicable filing deadline, the county clerk shall provide to the county attorney or criminal district attorney a copy of the list showing for each county officer, ~~and~~ candidate for county office, justice of the peace, and candidate for justice of the peace:

- (1) whether the officer, justice, or candidate timely filed a financial statement as required by this subchapter;
- (2) whether the officer, justice, or candidate timely requested and was granted an extension of time to file as provided for by Section 159.004 and the new due date for each such officer, justice, or candidate; or
- (3) whether the officer, justice, or candidate did not timely file a financial statement or receive an extension of time.

SECTION 6. Same as House version.

CONFERENCE

House Bill 2468
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

required by this subchapter.

(c) It is a defense to prosecution under this section that the officer, justice, or candidate did not receive copies of the financial statement form required to be mailed to the officer, justice, or candidate by this subchapter.

SECTION 6. A justice of the peace or a candidate for that office on the effective date of this Act must file the financial statement required for county officers under Subchapter A, Chapter 159, Local Government Code, as amended by this Act, on the first applicable financial statement filing deadline that occurs after the effective date of this Act.

SECTION 7. Same as House version.

SECTION 7. This Act takes effect September 1, 2007.

SECTION 8. Same as House version.