

## **BILL ANALYSIS**

H.B. 3216  
By: Naishtat  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the Ethics Commission is required to send written notification within five business days of receiving a complaint to both the complainant and respondent. However, if a complaint is filed against a citizen of Texas, that citizen, for the purpose of protecting their reputation, should have the right to be immediately notified. HB 3216 would require the Commission to immediately attempt to contact and notify the respondent of the complaint by telephone or electronic mail.

### **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**

HB 3216 amends the Government Code to require the Commission to immediately attempt to notify the respondent of a complaint by telephone or electronic mail. If the commission fails to contact the respondent by telephone or electronic mail, the commission must send written notice no later than the fifth business day after the complaint was filed. This notice to the complainant and the respondent must, if applicable, include information set forth in section 571.124(e) of the Government Code.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2009.