

By: Pena

H.B. No. 3924

A BILL TO BE ENTITLED

AN ACT

1
2 relating to filing with the Texas Ethics Commission disclosure
3 reports relating to political contributions and political
4 expenditures made in connection with offices and measures of local
5 governmental entities and to contracts with local governmental
6 entities.

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

8 SECTION 1. Chapter 571, Government Code, is amended by
9 adding Subchapter G to read as follows:

10 SUBCHAPTER G. REPORTING RELATED TO

11 LOCAL GOVERNMENTAL ENTITIES AND OFFICERS

12 Sec. 571.201. PURPOSE. The purpose of this subchapter is to
13 further the objective of fully disclosing information related to
14 political contributions and political expenditures made in
15 connection with offices and measures of local governmental entities
16 and to expenditures for petitioning local governmental entities by
17 allowing a local governmental entity, a candidate for or holder of
18 an office of a local governmental entity, or a person who petitions
19 a local governmental entity to use the commission's software and
20 other commission resources to file disclosure reports of
21 contributions and expenditures, including those reports required
22 by state law or a rule or ordinance adopted by a local governmental
23 entity.

24 Sec. 571.202. DEFINITIONS. In this subchapter:

1 (1) "Conflict of interest report" means:

2 (A) a conflicts disclosure statement required
3 under Section 176.003, Local Government Code; or

4 (B) a conflict of interest questionnaire
5 required under Section 176.006, Local Government Code.

6 (2) "Local government employee" means an employee of a
7 local governmental entity.

8 (3) "Local governmental entity" and "local government
9 officer" have the meanings assigned by Section 176.001, Local
10 Government Code.

11 (4) "Political contribution," "political
12 expenditure," and "specific-purpose committee" have the meanings
13 assigned by Section 251.001, Election Code.

14 Sec. 571.203. USE OF COMMISSION SOFTWARE AND RESOURCES.

15 (a) To fulfill the purpose of this subchapter and to facilitate
16 filing of disclosure statements and reports required under state
17 law or a rule or ordinance adopted by a local governmental entity,
18 including reports of political contributions and political
19 expenditures required under Chapter 254, Election Code, financial
20 statements required under Chapters 145 and 159, Local Government
21 Code, and conflict of interest reports required under Chapter 176,
22 Local Government Code, the commission may allow the use of
23 commission software and resources by:

24 (1) a local governmental entity;

25 (2) a local government officer;

26 (3) a candidate for an office of a local governmental
27 entity;

1 (4) a specific-purpose committee for supporting or
2 opposing a candidate for an office of a local governmental entity,
3 assisting a local government officer, or supporting or opposing a
4 measure proposed by a local governmental entity; or

5 (5) a person who enters or seeks to enter into a
6 contract with a local governmental entity.

7 (b) The commission may provide assistance to a local
8 governmental entity, a local government officer, a candidate for an
9 office of a local governmental entity, a specific-purpose
10 committee, or a person who enters or seeks to enter into a contract
11 with a local governmental entity by:

12 (1) developing software to facilitate electronic
13 filing of disclosure statements and reports;

14 (2) accepting disclosure statements and reports for
15 electronic filing; and

16 (3) providing public access through the Internet to
17 electronic disclosure statements and reports filed with the
18 commission by:

19 (A) a local governmental entity;

20 (B) a local government officer;

21 (C) a candidate for an office of a local
22 governmental entity;

23 (D) a specific-purpose committee for supporting
24 or opposing a candidate for an office of a local governmental
25 entity, assisting a local government officer, or supporting or
26 opposing a measure proposed by a local governmental entity; or

27 (E) a person who enters or seeks to enter into a

1 contract with a local governmental entity.

2 (c) The commission may enter into an intergovernmental
3 contract with a local governmental entity to provide the assistance
4 described by Subsection (a).

5 Sec. 571.204. APPLICABILITY OF CHAPTER TO CERTAIN ENTITIES
6 AND PERSONS. Unless expressly provided by this chapter, the
7 provisions of Subchapters A-F do not apply to the filing of a
8 disclosure statement or report under this subchapter.

9 SECTION 2. This Act takes effect September 1, 2009.