

By: Davis of Dallas

H.B. No. 2864

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure required by an officer of the executive branch on the nomination of an appointed officer.

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

SECTION 1. Chapter 652, Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. DISCLOSURE OF FINANCIAL RELATIONSHIP

Sec. 652.051. DEFINITION. In this section, "appointed officer" means:

(1) the secretary of state;

(2) an individual appointed with the advice and consent of the senate to the governing board of a state-supported institution of higher education; or

(3) an officer of a state agency who is appointed for a term of office specified by the Texas Constitution or a statute of this state.

Sec. 652.052. DISCLOSURE REQUIRED. (a) An officer of the executive branch who nominates a person for a position as an appointed officer must file a statement with the Texas Ethics Commission and, if confirmation by the senate is required, with the presiding officer of the standing committee of the senate with primary jurisdiction over nominations, disclosing any direct or indirect financial relationship between the officer and the nominated person. For purposes of this subsection, a direct or

1 indirect financial relationship includes engaging in a business
2 transaction or professional activity with the nominated person
3 either personally or through a business entity or association.

4 (b) The disclosure required by Subsection (a) must be filed
5 not later than the 30th day after the date the nomination is made
6 or, if confirmation by the senate is required, before the first
7 committee hearing on the confirmation, whichever date is earlier.

8 Sec. 652.053. RULES. The Texas Ethics Commission may adopt
9 rules as necessary regarding the disclosure statement to be filed
10 with the commission.

11 SECTION 2. Subchapter C, Chapter 652, Government Code, as
12 added by this Act, applies only to a nomination made on or after the
13 effective date of this Act. A nomination made before the effective
14 date of this Act is governed by the law in effect on the date the
15 nomination was made, and that law is continued in effect for that
16 purpose.

17 SECTION 3. This Act takes effect September 1, 2011.