

BILL ANALYSIS

H.B. 12
By: Flynn
Transparency in State Agency Operations, Select
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, state agencies disclose revenue from both federal funds and state appropriations. However, interested parties contend that donations made to state agencies for the purpose of salary supplements for agency employees should be treated in the same manner as state salaries, which are considered public information. H.B. 12 seeks to require state agencies to disclose and post online certain information regarding salary supplements to state agency employees from outside private donations.

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

H.B. 12 amends the Government Code to prohibit a state agency, defined by the bill as a board, commission, department, institute, office, or other agency in the executive branch of state government that is created by the constitution or a statute of this state, including an institution of higher education, from accepting a gift, grant, donation, or other consideration from a person, including a foundation or other entity, to be used as a salary supplement for an employee of the agency unless the person provides the agency with the methodology, including any employment market analysis, the person used to determine the amount provided for the salary supplement and posts the required information on the person's publicly accessible Internet website. The bill requires a state agency to post on the agency's Internet website in accordance with the schedule and in the manner required by the state auditor for reporting such information under the bill's provisions the amount of each gift, grant, donation, or other consideration provided by any person to be used as a salary supplement for an employee of the agency and the methodology, including any employment market analysis, the person used to determine the amount the person provided for the salary supplement.

H.B. 12 requires a person who provides a gift, grant, donation, or other consideration to a state agency for a salary supplement for an employee of the agency to post on the person's publicly accessible Internet website the amount of the gift, grant, donation, or other consideration provided for the salary supplement and the methodology, including any employment market analysis, the person used to determine the amount the person provided for the salary supplement. The bill requires the state auditor to adopt a schedule and format for reporting information required by the bill's provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.