

BILL ANALYSIS

H.B. 483
By: Aycock
Government Efficiency & Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties assert that a payment by a political subdivision to an employee or former employee that is more than an amount owned under a contract with the political subdivision could constitute a gift of public funds. These parties contend that a public hearing on the matter would clarify the situation and provide the political subdivision an opportunity to detail the reasons for the payment in excess of the contract. H.B. 483 seeks to require such a public hearing.

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. 483 amends the Local Government Code to prohibit a political subdivision from paying an employee or former employee more than an amount owed under a contract with the employee unless the political subdivision holds at least one public hearing under the bill's provisions. The bill requires that notice of the hearing be given in accordance with notice of a public meeting under state public information law and requires the governing body of the political subdivision to state at the public hearing the reason the payment in excess of the contractual amount is being offered to the employee or former employee, including the public purpose that will be served by making the excess payment, and the exact amount of the excess payment, the source of the payment, and the terms for the distribution of the payment that effect and maintain the public purpose to be served by making the excess payment.

EFFECTIVE DATE

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