

## **BILL ANALYSIS**

C.S.S.B. 692  
By: Carona  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that current law requires certain county officers, county employees, or candidates for county office to file personal financial statements with the county clerk or other county officer as designated by their respective commissioners court. However, current law does not expressly allow these filers to submit such statements electronically. C.S.S.B. 692 seeks to update current law to provide for electronic filing of certain financial disclosure statements.

### **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**

C.S.S.B. 692 amends the Local Government Code to authorize filing by electronic mail of the financial disclosure statements that a county officer or candidate for such an office in a county with a population of 100,000 or more, or a justice of the peace or a candidate for that office in a county with a population of 125,000 or more, is required to file with the county clerk of the county in which such officers or candidates reside. The bill removes a provision specifying that a county clerk is required to mail or, upon request, send by electronic mail to such officials or candidates two copies of the form to be used for filing the required financial statement and instead requires the form to be mailed.

C.S.S.B. 692 authorizes filing by electronic mail of financial disclosure statements that a sheriff, county tax assessor-collector, county clerk, district clerk, county treasurer, county auditor, county purchasing agent, constable, a justice of the peace or a master, magistrate, or referee appointed by a justice of the peace, candidates for those offices, and county employees in a county with a population of 125,000 or more are required to file with the clerk of the commissioners court, the county auditor, or any other county officer.

C.S.S.B. 692 authorizes the county clerk or authority with whom the financial report is filed, as applicable, to prescribe the manner and format for filing by electronic mail. The bill specifies that the copies of the form to be used for filing the financial statement required for the judge of a statutory county court or statutory probate court or a candidate for such an office are required to be made available in paper and electronic forms.

### **EFFECTIVE DATE**

September 1, 2013.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.S.B. 692 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial

differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 159.003, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) The statement may be filed with the county clerk by electronic mail. The county clerk may prescribe **guidelines** for filing by electronic mail.

**No equivalent provision.**

SECTION 2. Section 159.034, Local Government Code, is amended by adding Subsection (d) to read as follows:

(d) A report filed under this subchapter may be filed by electronic mail. The authority with whom the report is filed may prescribe **guidelines** for filing by electronic mail.

SECTION 3. Section 159.052, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) A financial statement filed with the county clerk may be filed by electronic mail. The county clerk may prescribe **guidelines** for filing by electronic mail under this subsection.

**No equivalent provision.**

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 159.003, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) The statement may be filed with the county clerk by electronic mail. The county clerk may prescribe **the manner and format** for filing by electronic mail.

SECTION 2. Section 159.005(b), Local Government Code, is amended to read as follows:

(b) The county clerk shall mail or, at the request of the person required to file under this subchapter, send by electronic mail, ~~[two copies of]~~ the form to each person required to file under this subchapter within the time prescribed by Section 572.030(c), Government Code.

SECTION 3. Section 159.034, Local Government Code, is amended by adding Subsection (d) to read as follows:

(d) A report filed under this subchapter may be filed by electronic mail. The authority with whom the report is filed may prescribe **the manner and format** for filing by electronic mail.

SECTION 4. Section 159.052, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) A financial statement filed with the county clerk may be filed by electronic mail. The county clerk may prescribe **the manner and format** for filing by electronic mail under this subsection.

SECTION 5. Section 159.054(b), Local Government Code, is amended to read as follows:

(b) The county clerk shall make paper and electronic copies of the form available to each person required to file under this subchapter within the time prescribed by Section 572.030(c), Government Code.

SECTION 4. This Act takes effect  
September 1, 2013.

SECTION 6. Same as engrossed version.