

By: Flynn, Alvarado, Perry, Martinez Fischer,
et al.

H.B. No. 12

A BILL TO BE ENTITLED

AN ACT

relating to gifts made to a state agency for a state employee salary supplement.

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

SECTION 1. Subchapter B, Chapter 659, Government Code, is amended by adding Section 659.0201 to read as follows:

Sec. 659.0201. REPORTING SALARY SUPPLEMENT. (a) In this section, "state agency" means 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 as defined by Section 61.003, Education Code.

(b) A state agency may not accept 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:

(1) provides the agency with the methodology, including any employment market analysis, the person used to determine the amount provided for the salary supplement; and

(2) complies with Subsection (d).

(c) The state agency shall post on the agency's Internet website in accordance with the schedule and in the manner required by the state auditor:

(1) the amount of each gift, grant, donation, or other

1 consideration provided by any person to be used as a salary
2 supplement for an employee of the agency; and

3 (2) the methodology, including any employment market
4 analysis, the person described by Subsection (b) used to determine
5 the amount the person provided for the salary supplement.

6 (d) A person that provides a gift, grant, donation, or other
7 consideration to a state agency for a salary supplement for an
8 employee of the agency must post on the person's publicly
9 accessible Internet website:

10 (1) the amount of the gift, grant, donation, or other
11 consideration provided for the salary supplement; and

12 (2) the methodology, including any employment market
13 analysis, the person used to determine the amount the person
14 provided for the salary supplement.

15 (e) The state auditor shall adopt a schedule and format for
16 reporting information required by this section.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2013.