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H.B. No. 343

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the filing of financial disclosure statements by
3 trustees of certain independent school districts; providing
4 criminal and civil penalties.

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

6 SECTION 1. Section 11.064, Education Code, is amended by
7 adding Subsection (d) to read as follows:

8 (d) This section does not apply to the board of trustees of
9 an independent school district to which Section 11.0641 applies.

10 SECTION 2. Subchapter C, Chapter 11, Education Code, is
11 amended by adding Section 11.0641 to read as follows:

12 Sec. 11.0641. FILING OF FINANCIAL STATEMENT BY TRUSTEE
13 REQUIRED FOR CERTAIN SCHOOL DISTRICTS. (a) This section applies
14 only to the board of trustees of an independent school district that
15 is located in a county with a population of 800,000 or more that is
16 located on the international border.

17 (b) Each member of the board of trustees of an independent
18 school district shall file a financial statement with:

19 (1) the board of trustees; and

20 (2) the commissioners court of the county in which the
21 school district's central administrative office is located.

22 (c) The provisions of Subchapter B, Chapter 572, Government
23 Code, governing the contents, timeliness of filing, and public
24 inspection of a statement apply to a statement filed under this

1 section as if the trustee were a state officer and the commissioners
2 court of the county were the Texas Ethics Commission.

3 (d) A trustee commits an offense if the trustee fails to
4 file the statement required by this section. An offense under this
5 section is a Class B misdemeanor.

6 (e) The commissioners court of the county shall determine
7 from any available evidence whether a statement required to be
8 filed under this section is late. On making a determination that
9 the statement is late, the commissioners court shall immediately
10 mail a notice of the determination to the individual responsible
11 for filing the statement. If a statement is determined to be late,
12 the individual responsible for filing the statement is liable to
13 the county for a civil penalty of \$500. If a statement is more than
14 30 days late, the commissioners court shall issue a warning of
15 liability by registered mail to the individual responsible for the
16 filing. If the penalty is not paid before the 10th day after the
17 date on which the warning is received, the individual is liable for
18 a civil penalty in an amount determined by the commissioners court,
19 but not to exceed \$10,000.

20 SECTION 3. (a) Section 11.0641, Education Code, as added
21 by this Act, applies beginning January 1, 2015. A trustee is not
22 required to include financial activity occurring before January 1,
23 2014, in a statement filed under that section.

24 (b) The change in law made by this Act applies only to an
25 offense committed on or after January 1, 2014. For purposes of this
26 section, an offense is committed before January 1, 2014, if any
27 element of the offense occurs before that date.

1 (c) An offense committed before January 1, 2014, is covered
2 by the law in effect when the offense was committed, and the former
3 law is continued in effect for that purpose.

4 SECTION 4. This Act takes effect January 1, 2014.