

1-1 By: Marquez, et al. (Senate Sponsor - Rodriguez) H.B. No. 343
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on
 1-4 Education; May 15, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 343 By: Seliger

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the filing of financial disclosure statements by
 1-22 trustees of certain independent school districts; providing
 1-23 criminal and civil penalties.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 11.064, Education Code, is amended by
 1-26 adding Subsection (d) to read as follows:

1-27 (d) This section does not apply to the board of trustees of
 1-28 an independent school district to which Section 11.0641 applies.
 1-29 This subsection expires January 1, 2019.

1-30 SECTION 2. Subchapter C, Chapter 11, Education Code, is
 1-31 amended by adding Section 11.0641 to read as follows:

1-32 Sec. 11.0641. FILING OF FINANCIAL STATEMENT BY TRUSTEE
 1-33 REQUIRED FOR CERTAIN SCHOOL DISTRICTS. (a) This section applies
 1-34 only to the board of trustees of an independent school district that
 1-35 is located in a county that is located on the international border
 1-36 and in which a municipality with a population of 600,000 or more is
 1-37 located.

1-38 (b) Each member of the board of trustees of an independent
 1-39 school district shall file a financial statement with:

1-40 (1) the board of trustees; and

1-41 (2) the commissioners court of the county in which the
 1-42 school district's central administrative office is located.

1-43 (c) The provisions of Subchapter B, Chapter 572, Government
 1-44 Code, governing the contents, timeliness of filing, and public
 1-45 inspection of a statement apply to a statement filed under this
 1-46 section as if the trustee were a state officer and the commissioners
 1-47 court of the county were the Texas Ethics Commission.

1-48 (d) A trustee commits an offense if the trustee fails to
 1-49 file the statement required by this section. An offense under this
 1-50 section is a Class B misdemeanor.

1-51 (e) The commissioners court of the county shall determine
 1-52 from any available evidence whether a statement required to be
 1-53 filed under this section is late. On making a determination that
 1-54 the statement is late, the commissioners court shall immediately
 1-55 mail a notice of the determination to the individual responsible
 1-56 for filing the statement. If a statement is determined to be late,
 1-57 the individual responsible for filing the statement is liable to
 1-58 the county for a civil penalty of \$500. If a statement is more than
 1-59 30 days late, the commissioners court shall issue a warning of
 1-60 liability by registered mail to the individual responsible for the

2-1 filing. If the penalty is not paid before the 10th day after the
2-2 date on which the warning is received, the individual is liable for
2-3 a civil penalty in an amount determined by the commissioners court,
2-4 but not to exceed \$10,000.

2-5 (f) A trustee is not required to file a statement under this
2-6 section for financial activity occurring on or after January 1,
2-7 2018. This section expires January 1, 2019.

2-8 SECTION 3. (a) Section 11.0641, Education Code, as added by
2-9 this Act, applies beginning January 1, 2015. A trustee is not
2-10 required to include financial activity occurring before January 1,
2-11 2014, in a statement filed under that section.

2-12 (b) The change in law made by this Act applies only to an
2-13 offense committed on or after January 1, 2014. For purposes of this
2-14 section, an offense is committed before January 1, 2014, if any
2-15 element of the offense occurs before that date.

2-16 (c) An offense committed before January 1, 2014, is covered
2-17 by the law in effect when the offense was committed, and the former
2-18 law is continued in effect for that purpose.

2-19 (d) The expiration of Section 11.0641, Education Code, as
2-20 added by this Act, does not affect the prosecution of an offense
2-21 under or the collection of a civil penalty for the violation of that
2-22 section as it existed before it expired, and the former law is
2-23 continued in effect for that purpose.

2-24 SECTION 4. This Act takes effect January 1, 2014.

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