

By: Marquez

H.B. No. 687

A BILL TO BE ENTITLED

AN ACT

relating to preliminary review of complaints filed with a county ethics commission.

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

SECTION 1. Sections 161.1551(b) and (e), Local Government Code, are amended to read as follows:

(b) The standing preliminary review committee consists of three persons, as follows:

(1) two members of the commission, determined as provided by Subsection (c); and

(2) a review officer selected and retained by the commission.

(e) The review officer must be a practicing attorney or former judge. A commission member may serve as the review officer.

SECTION 2. Sections 161.159(a) and (b), Local Government Code, are amended to read as follows:

(a) If the alleged violation is a Category One violation:

(1) the respondent must respond to the notice required by Section 161.156(b) not later than the 14th day after the date the respondent receives the notice; and

(2) if the matter is not resolved by agreement between the standing preliminary review committee and the respondent before the 30th day after the date the committee receives the respondent's response to [~~respondent receives~~] the notice given under Section

1 161.156(b), the committee shall set the matter for a preliminary
2 review hearing to be held at the next committee meeting.

3 (b) If the alleged violation is a Category Two violation:

4 (1) the respondent must respond to the notice required
5 by Section 161.156(b) not later than the 14th day after the date the
6 respondent receives the notice under Section 161.156(b); and

7 (2) if the matter is not resolved by agreement between
8 the standing preliminary review committee and the respondent before
9 the 30th day after the date the committee receives the respondent's
10 response to [~~respondent receives~~] the notice given under Section
11 161.156(b), the committee shall set the matter for a preliminary
12 review hearing to be held at the next committee meeting.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.