

By: Miller of Comal

H.B. No. 2702

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the electronic filing of personal financial statements
3 by certain county officers, county employees, and candidates for
4 county office.

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

6 SECTION 1. Section 159.004, Local Government Code, is
7 amended by amending Subsection (b) and adding Subsections (e) and
8 (f) to read as follows:

9 (b) Except as provided in Subsection (e), the ~~[The]~~
10 timeliness of the filing is governed by Section 572.029, Government
11 Code.

12 (e) A person is considered to have timely filed a financial
13 statement under this subchapter if the county clerk with whom the
14 statement is required to be filed has adopted rules and procedures
15 to provide for the electronic filing of the statement and the
16 statement is electronically filed in accordance with those rules
17 and procedures not later than midnight of the last day for filing
18 the statement.

19 (f) A county clerk with whom a financial statement is
20 electronically filed under Subsection (e) must issue an electronic
21 receipt to the person filing the statement at the time the statement
22 is filed. The time stamp on the receipt is prima facie evidence of
23 the date the statement was filed.

24 SECTION 2. Subchapter B, Chapter 159, Local Government

1 Code, is amended by adding Section 159.0341 to read as follows:

2 Sec. 159.0341. TIMELINESS OF FILING. (a) A person is
3 considered to have timely filed a report under this subchapter if:

4 (1) the report is filed in accordance with Section
5 572.029, Government Code; or

6 (2) the officer with whom the report is required to be
7 filed has adopted rules and procedures to provide for the
8 electronic filing of the report and the report is electronically
9 filed in accordance with those rules and procedures not later than
10 midnight of the last day for filing the report.

11 (b) An officer with whom a report is electronically filed
12 under Subsection (a) must issue an electronic receipt to the person
13 filing the report at the time the report is filed. The time stamp on
14 the receipt is prima facie evidence of the date the report was
15 filed.

16 SECTION 3. Section 159.053, Local Government Code, is
17 amended by amending Subsection (b) and adding Subsections (c) and
18 (d) to read as follows:

19 (b) Except as provided in Subsections (c), the [The]
20 timeliness of the filing is governed by Section 572.029, Government
21 Code.

22 (c) A person is considered to have timely filed a financial
23 statement under this subchapter if the county clerk with whom the
24 statement is required to be filed has adopted rules and procedures
25 to provide for the electronic filing of the statement and the
26 statement is electronically filed in accordance with those rules
27 and procedures not later than midnight of the last day for filing

1 the statement.

2 (d) A county clerk with whom a financial statement is
3 electronically filed under Subsection (c) must issue an electronic
4 receipt to the person filing the statement at the time the statement
5 is filed. The time stamp on the receipt is prima facie evidence of
6 the date the statement was filed.

7 SECTION 4. The changes in law made by this Act to Chapter
8 159, Local Government Code, apply only to a financial statement or
9 report required to be filed under that chapter that is due on or
10 after January 1, 2014.

11 SECTION 5. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2013.