

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 83rd Legislature, Regular Session, 2013, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 12 (gifts and other  
6 consideration made to state agencies for state employee salary  
7 supplement or other purposes and to publication by state agencies  
8 of staff compensation and related information) to consider and take  
9 action on the following matters:

10 (1) House Rule 13, Sections 9(a)(1) and (3), are suspended  
11 to permit the committee to change, alter, or amend text and to add  
12 text on a matter not in disagreement by adding the following to  
13 Section 659.0201, Government Code, in SECTION 1 of the bill:

14 (b) A state agency that accepts a gift, grant, donation, or  
15 other consideration from a person that the person designates to be  
16 used as a salary supplement for an employee of the agency shall post  
17 on the agency's Internet website, in addition to the information  
18 required by Section 659.026, the amount of each gift, grant,  
19 donation, or other consideration provided by the person that is  
20 designated to be used as a salary supplement for an employee of the  
21 agency. The agency may not post the name of the person.

22 Explanation: The change is necessary to clarify which state  
23 agencies have to post certain information relating to a gift,  
24 grant, donation, or other consideration the agency receives on the

1 agency's Internet website and to clarify the information that the  
2 agency is prohibited from posting.

3 (2) House Rule 13, Sections 9(a)(1) and (3), are suspended  
4 to permit the committee to change, alter, or amend text and to add  
5 text on a matter not in disagreement by adding the following to  
6 Section 659.0201, Government Code, in SECTION 1 of the bill:

7 (c) A state agency described by Subsection (b) by rule shall  
8 adopt conflict of interest provisions regarding the acceptance by  
9 the agency of a gift, grant, donation, or other consideration to be  
10 used as a salary supplement for an employee of the agency. The  
11 governing board of an institution of higher education shall adopt  
12 the conflict of interest provisions required by this subsection in  
13 the same manner as the board adopts other policies applicable to the  
14 institution. The agency shall post the conflict of interest  
15 provisions on the agency's Internet website.

16 Explanation: The change is necessary to clarify the  
17 application of the provisions to institutions of higher education.

18 (3) House Rule 13, Sections 9(a)(1) and (3), are suspended  
19 to permit the committee to change, alter, or amend text and to add  
20 text on a matter not in disagreement by adding the following to  
21 Section 659.0201(d)(1), Government Code, in SECTION 1 of the bill:  
22 "unless the person has made a request to the entity to remain  
23 anonymous".

24 Explanation: The change is necessary to maintain the  
25 anonymity of certain donors.

26 (4) House Rule 13, Section 9(a)(4), is suspended to permit  
27 the committee to add text on matters not included in either the

1 house or senate version of the bill by adding the following to  
2 Section 659.0201, Government Code, in SECTION 1 of the bill:

3 (e) A state agency that receives a gift, grant, donation, or  
4 other consideration described by Subsection (d) shall compile the  
5 information the agency receives under Subsection (d) into a report  
6 and submit the report to the state auditor and the legislature.

7 (f) Information provided to an institution of higher  
8 education under Subsection (d) is confidential and is not subject  
9 to disclosure under Chapter 552.

10 (g) The state auditor may review the report submitted under  
11 Subsection (e) to identify any conflicts of interest or any other  
12 areas of risk. The state auditor shall report the results of an  
13 audit performed under this section to the legislature.

14 Explanation: The change is necessary to enable the state  
15 auditor and legislature to be informed about gifts, grants,  
16 donations, or other consideration received by state agencies and  
17 monitor any conflicts of interest that might result from accepting  
18 a gift, grant, donation, or other consideration and to maintain the  
19 confidentiality of information provided by an institution of higher  
20 education.

21 (5) House Rule 13, Sections 9(a)(1) and (3), are suspended  
22 to permit the committee to change, alter, or amend text and to add  
23 text on a matter not in disagreement by adding the following to  
24 Section 659.0201(h), Government Code, in SECTION 1 of the bill:  
25 "that does not require the release of information that identifies  
26 an anonymous donor".

27 Explanation: The change is necessary to maintain the

1 anonymity of certain donors.

2 (6) House Rule 13, Section 9(a)(1), is suspended to permit  
3 the committee to change, alter, or amend text not in disagreement by  
4 adding "officer" to Section 659.026(a)(2)(A), Government Code, in  
5 SECTION 1 of the bill.

6 Explanation: The change is necessary to clarify the  
7 positions included in the meaning of executive staff.

8 (7) House Rule 13, Section 9(a)(1), is suspended to permit  
9 the committee to change, alter, or amend text not in disagreement by  
10 adding "Paragraph (A)" to Section 659.026(a)(2)(B), Government  
11 Code, in SECTION 1 of the bill.

12 Explanation: The change is necessary to correct a  
13 cross-reference.

Flynn

H.R. No. 3042

---

Speaker of the House

I certify that H.R. No. 3042 was adopted by the House on May 26, 2013, by the following vote: Yeas 144, Nays 1, 2 present, not voting.

---

Chief Clerk of the House