

Strike everything below enacting clause, and insert:

SECTION 1. Chapter 41, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. PUBLIC INTEGRITY UNIT

Sec. 41.351. DEFINITIONS. In this subchapter:

(1) "Offense" means a prohibited act for which state law imposes a criminal or civil penalty.

(2) "Prosecute" means represent the state to impose a criminal or civil penalty.

(3) "The Public Integrity Prosecutor" means a district attorney, criminal district attorney, or county attorney appointed by the Governor. The public integrity prosecutor serves in the position for a six-year term. The Governor shall appoint a person to be the Public Integrity Prosecutor of the Public Integrity Unit from a list of not fewer than 3 nominees submitted by the Texas District and County Attorney Association who they recommend as the toughest ethics prosecutors in the state.

Sec. 41.352. OFFENSES AGAINST PUBLIC ADMINISTRATION. For purposes of this subchapter, the following are offenses against public administration:

(1) an offense under Title 8, Penal Code, committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment;

(2) an offense under Chapter 301, 302, 305, 571, 572, or 2004;

(3) an offense under Chapter 573 committed by a state officer in connection with the powers and duties of the state office; and

(4) an offense under Title 15, Election Code, committed in connection with:

(A) a campaign for or the holding of state office; or

(B) an election on a proposed constitutional amendment.

Sec. 41.353. OFFENSES INVOLVING INSURANCE FRAUD. For purposes of this subchapter, the following are offenses involving insurance fraud:

(1) an offense under Chapter 35, Penal Code, including an offense under that chapter that involves workers' compensation insurance under Title 5, Labor Code; or

(2) a fraudulent insurance act as defined by Section 701.001, Insurance Code, including an act that involves workers' compensation insurance under Title 5, Labor Code.

Sec. 41.354. OFFENSES INVOLVING MOTOR FUELS TAX. For purposes of this subchapter, an offense involving motor fuels tax means a felony offense under Section 162.403, Tax Code.

Sec. 41.355. PUBLIC INTEGRITY UNIT. (a) The office of the public integrity unit shall consist of such attorneys, investigators and support personnel needed to investigate and prosecute offenses described by this subchapter.

Sec. 41.356. INVESTIGATION AND PROSECUTION BY PUBLIC INTEGRITY UNIT. (a) On receiving a formal or informal complaint regarding an offense described by this subsection or on request of a prosecuting attorney, the public integrity unit may perform an investigation into whether a person has committed:

- (1) an offense against public administration;
- (2) an offense involving insurance fraud; or
- (3) an offense involving motor fuels tax.

(b) If an investigation by the public integrity unit finds a reasonable suspicion that an offense:

(1) described by Subsection (a)(1) occurred, the matter shall be prosecuted by the public integrity unit or referred to the prosecuting attorney of the county in which venue is proper under Chapter 13, Code of Criminal Procedure; or

(2) described by (a)(2) occurred, venue is proper under Section 85.051, Insurance Code; or

(3) described by (a)(3) occurred, venue is proper under Section 162.407, Tax Code.