

By: Márquez, Galindo, Dale, Phelan

H.B. No. 1085

Substitute the following for H.B. No. 1085:

By: Davis of Harris

C.S.H.B. No. 1085

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the filing of financial disclosure statements by
3 trustees of an independent school district; amending provisions
4 subject to a criminal penalty.

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

6 SECTION 1. Sections 11.064(a), (b), and (c), Education
7 Code, are amended to read as follows:

8 (a) Each member of the ~~[The]~~ board of trustees of an
9 independent school district shall ~~[by resolution adopted by~~
10 ~~majority vote may require each member of the board to]~~ file the
11 financial statement required of state officers under Subchapter B,
12 Chapter 572, Government Code, with:

13 (1) the board of trustees; and

14 (2) the Texas Ethics Commission.

15 (b) Subchapter B, Chapter 572, Government Code:

16 (1) applies to a trustee ~~[subject to this section]~~ as
17 if the trustee were a state officer; and

18 (2) governs the contents, timeliness of filing, and
19 public inspection of a statement filed under this section.

20 (c) A trustee ~~[serving in a school district that has adopted~~
21 ~~a resolution under Subsection (a) or that is subject to an order~~
22 ~~issued under Subsection (a-3)]~~ commits an offense if the trustee
23 fails to file the statement required by this section ~~[the~~
24 ~~resolution or order]~~. An offense under this section is a Class B

1 misdemeanor.

2 SECTION 2. Sections 11.064(a-1), (a-2), (a-3), (a-4), and
3 (d) and 11.0641, Education Code, are repealed.

4 SECTION 3. (a) The changes in law made by this Act to
5 Section 11.064, Education Code, apply beginning January 1, 2017, to
6 a trustee who, before the effective date of this Act, was not
7 required to file a financial statement under Section 11.064 or
8 11.0641, Education Code, and such a trustee is not required to
9 include financial activity occurring before January 1, 2016, in a
10 statement filed under those sections. A trustee who was required to
11 file a financial statement under Section 11.0641, Education Code,
12 before its repeal by this Act shall file a financial statement under
13 Section 11.064, Education Code, for financial activity occurring in
14 2015.

15 (b) The change in law made by this Act applies only to an
16 offense committed on or after January 1, 2016. For purposes of this
17 section, an offense is committed before January 1, 2016, if any
18 element of the offense occurs before that date.

19 (c) An offense committed before January 1, 2016, is covered
20 by the law in effect when the offense was committed, and the former
21 law is continued in effect for that purpose.

22 SECTION 4. This Act takes effect January 1, 2016.