

1-1 By: Koop, et al. (Senate Sponsor - Hall) H.B. No. 1246
1-2 (In the Senate - Received from the House April 27, 2015;
1-3 April 28, 2015, read first time and referred to Committee on State
1-4 Affairs; May 6, 2015, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; May 6, 2015,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Ellis	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Estes	X		
1-14	Fraser	X		
1-15	Nelson	X		
1-16	Schwertner	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1246 By: Estes

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the methods of delivery for required financial
1-22 statement forms sent to certain municipal officeholders and
1-23 candidates for municipal office.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 145.002, Local Government Code, is
1-26 amended to read as follows:

1-27 Sec. 145.002. DEFINITIONS [DEFINITION]. In this chapter:

1-28 (1) "Deliver" means transmitting by mail, personal
1-29 delivery, or e-mail or any other means of electronic transfer.

1-30 (2) "Municipal[~~,~~ "municipal] officer" means the
1-31 mayor, a member of the governing body, the municipal attorney, or
1-32 the city manager of a municipality.

1-33 SECTION 2. Section 145.005(b), Local Government Code, is
1-34 amended to read as follows:

1-35 (b) The clerk or secretary shall deliver at least one copy
1-36 [~~mail two copies~~] of the form to each municipal officer or person
1-37 who is appointed to a municipal office who is required to file under
1-38 this chapter within the time prescribed by Section 572.030(c)(1),
1-39 Government Code. The clerk or secretary shall deliver [mail] a copy
1-40 of the form to each candidate for a municipal office filled by
1-41 election who is required to file under this chapter not later than
1-42 the 10th day before the deadline for filing the statement under
1-43 Section 145.004(c). The clerk or secretary may choose one or more
1-44 methods to deliver the form.

1-45 SECTION 3. Section 145.009(c), Local Government Code, is
1-46 amended to read as follows:

1-47 (c) It is a defense to prosecution under this section that
1-48 the officer or candidate did not receive copies of the financial
1-49 statement form required to be delivered [mailed] to the officer or
1-50 candidate by this chapter.

1-51 SECTION 4. Section 145.005(b), Local Government Code, as
1-52 amended by this Act, applies only to a financial statement due on or
1-53 after the effective date of this Act. A financial statement due
1-54 before the effective date of this Act is governed by the law in
1-55 effect on the date the financial statement was due, and the former
1-56 law is continued in effect for that purpose.

1-57 SECTION 5. Section 145.009(c), Local Government Code, as
1-58 amended by this Act, applies only to an offense committed on or
1-59 after the effective date of this Act. An offense committed before
1-60 the effective date of this Act is governed by the law in effect on

2-1 the date the offense was committed, and the former law is continued
2-2 in effect for that purpose. For purposes of this section, an offense
2-3 was committed before the effective date of this Act if any element
2-4 of the offense occurred before that date.

2-5 SECTION 6. This Act takes effect September 1, 2015.

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