

By: Taylor of Collin

S.B. No. 634

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a task force on unethical and unlawful misconduct by public officials.

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

SECTION 1. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0208 to read as follows:

Sec. 411.0208. ANTICORRUPTION TASK FORCE. (a) A task force is established under this section to examine the adequacy of state laws, rules, and procedures governing unethical and unlawful misconduct by public officials.

(b) The task force consists of three members, appointed as follows:

(1) not later than February 1 of each odd-numbered year, the governor, lieutenant governor, and speaker of the house of representatives shall each nominate three individuals for each vacancy on the task force to serve on the task force, subject to confirmation by the senate;

(2) if the senate does not confirm the nomination of an individual under Subdivision (1), the official who originally nominated the individual may make an additional nomination, subject to confirmation by the senate; and

(3) not later than April 1 of each odd-numbered year, the supreme court shall select the number of individuals required to fill the vacancies on the task force from the group of

1 individuals who have been confirmed by the senate and appoint those
2 individuals as members of the task force.

3 (c) Members of the task force shall serve staggered terms of
4 six years, with one member's term expiring February 1 of each
5 odd-numbered year.

6 (d) A vacancy on the task force must be filled not later than
7 the 60th day after the date the vacancy occurs, using the process
8 prescribed by Subsection (b), except that the nominations under
9 Subsection (b)(1) shall be confirmed by the senate committee with
10 jurisdiction over nominations.

11 (e) The task force shall meet at the times and places that
12 the members of the task force determine are appropriate. The task
13 force shall adopt rules necessary to fulfill the task force's
14 duties under this section.

15 (f) Task force members serve without compensation but are
16 entitled to reimbursement for reasonable and necessary expenses
17 incurred in the discharge of their duties.

18 (g) Chapter 2110 does not apply to the task force.

19 (h) The task force shall employ an executive director to
20 perform any administrative or personnel management duties of the
21 task force.

22 (i) The task force shall:

23 (1) examine the adequacy of existing criminal,
24 campaign finance, and election laws that govern misconduct by
25 public officials and determine whether the existing laws have been
26 effectively enforced;

27 (2) investigate the compliance of organizations and

1 other persons with existing lobbying laws; and

2 (3) review recent instances of reported misconduct by
3 public officials in order to guide the task force's recommendations
4 regarding statutory changes.

5 (j) If the task force discovers any evidence of a violation
6 of existing criminal, campaign finance, or election laws while
7 conducting its duties under Subsection (i), the task force shall
8 promptly disclose all relevant evidence to the appropriate law
9 enforcement agencies.

10 (k) The task force may investigate allegations of unethical
11 or unlawful misconduct by public officials and may subpoena and
12 examine witnesses and documents that directly relate to an
13 investigation conducted by the task force. The task force may hire
14 investigators as necessary to conduct its duties under this
15 section.

16 (l) Not later than December 1 of each even-numbered year,
17 the task force shall deliver a report to the legislature, the
18 governor, and the attorney general that includes:

19 (1) a description of the activities of the task force;

20 (2) the findings and recommendations of the task
21 force, including any proposed policy recommendations; and

22 (3) any proposals for legislation or other matters the
23 task force considers appropriate.

24 SECTION 2. Notwithstanding Section 411.0208(b), Government
25 Code, as added by this Act, the initial members of the task force
26 shall be appointed as follows:

27 (1) not later than the 45th day after the effective

1 date of this Act, the governor, lieutenant governor, and speaker of
2 the house of representatives shall each nominate five individuals
3 to serve on the task force;

4 (2) the senate committee with jurisdiction over
5 nominations shall confirm the nominations to the task force not
6 later than the 30th day after the committee receives the
7 nominations from the governor, lieutenant governor, and speaker of
8 the house of representatives;

9 (3) the supreme court shall appoint the three initial
10 members of the task force from the group of individuals who have
11 been confirmed by the senate committee with jurisdiction over
12 nominations not later than the 30th day after the supreme court
13 receives the list of individuals who have been confirmed by the
14 senate committee; and

15 (4) the individuals appointed as members of the task
16 force shall hire an executive director not later than the 60th day
17 after the individuals were appointed.

18 SECTION 3. In appointing the initial members to the task
19 force established under Section 411.0208, Government Code, as added
20 by this Act, the supreme court shall appoint one person to a term
21 expiring February 1, 2017, one person to a term expiring February 1,
22 2019, and one person to a term expiring February 1, 2021.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2015.