

BILL ANALYSIS

Senate Research Center

H.B. 1495
By: Toth (Creighton)
State Affairs
5/16/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that allowing additional counties to establish ethics commissions would provide for greater government accountability at the county level. H.B. 1495 seeks to authorize the creation of such a commission in certain counties.

H.B. 1495 amends current law relating to authorization for the creation of a county ethics commission in certain counties and to authorizing counties to adopt a code of ethics for their commissioners courts.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Requires this Act to be cited as the J D Lambright Local Government Ethics Reform Act.

SECTION 2. Amends Section 161.001, Local Government Code, as follows:

Sec. 161.001. APPLICABILITY OF CHAPTER. Provides that this chapter (County Ethics Commission in Certain Counties) applies only to:

- (1) creates this subdivision from existing text and redesignates existing Subdivisions (1)–(3) as Paragraphs (A)–(C);
- (2) a county that:
 - (A) has a population of 425,000 or more;
 - (B) is adjacent to a county with a population of 3.3 million or more; and
 - (C) contains a portion of the San Jacinto River; and
- (3) a county that has a population of less than 40,000 that is adjacent to a county with a population of more than 3.3 million.

SECTION 3. Amends Section 161.002(8), Local Government Code, as follows:

- (8) Deletes existing text providing that the definition of "county public servant" includes a candidate for nomination or election to an elected county office. Redesignates existing text of Paragraph (E) as Paragraph (D).

SECTION 4. Amends Chapter 170, Local Government Code, by adding Section 170.002, as follows:

Sec. 170.002. CODE OF ETHICS FOR CERTAIN COMMISSIONERS COURTS. (a) Provides that this section applies to a county that has a population of less than 40,000 that is adjacent to a county with a population of more than 3.3 million.

(b) Authorizes the commissioners court of a county subject to this section to adopt by order a code of ethics that provides standards of conduct for members of the commissioners court.

(c) Requires a code of ethics, if a commissioners court of a county subject to this section adopts the code of ethics under this section, to require each member of the commissioners court to file a conflicts disclosure statement that is in addition to the statement required by Section 176.003 (Conflicts Disclosure Statement Required).

SECTION 5. Effective date: upon passage or September 1, 2019.