

By: Davis of Harris

H.B. No. 778

A BILL TO BE ENTITLED

AN ACT

relating to the provision of notice by the Texas Ethics Commission.

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

SECTION 1. Subchapter B, Chapter 571, Government Code, is amended by adding Section 571.033 to read as follows:

Sec. 571.033. NOTIFICATION PROCEDURES. (a) Except as provided by Subsection (b), the commission may adopt rules prescribing how the commission will notify any person or provide any notice required by this subtitle, Chapter 305, or Title 15, Election Code.

(b) Subsection (a) does not authorize the commission to adopt rules prescribing how the commission will notify any person or provide any notice required by Subchapter E or F of this chapter or how the commission will issue a warning of liability under Section 254.042(b), Election Code.

SECTION 2. The heading to Section 572.030, Government Code, is amended to read as follows:

Sec. 572.030. PREPARATION [~~AND MAILING~~] OF FORMS; NOTICE OF FILING REQUIREMENTS.

SECTION 3. Sections 572.030(b), (c), and (d), Government Code, are amended to read as follows:

(b) The commission shall notify [~~mail to~~] each individual required to file under this subchapter of [~~a notice that~~]:

(1) the requirement [~~states~~] that the individual [~~is~~

1 ~~required to~~] file a financial statement under this subchapter;

2 (2) [~~identifies~~] the filing dates for the financial
3 statement as provided by Sections 572.026 and 572.027; and

4 (3) [~~describes~~] the manner in which the individual may
5 electronically file the financial statement and access
6 instructions for filing financial statements on [~~obtain the~~
7 ~~financial statement forms and instructions from~~] the commission's
8 Internet website[~~+~~

9 [~~(4) states that on request of the individual, the~~
10 ~~commission will mail to the individual a copy of the financial~~
11 ~~statement forms and instructions; and~~

12 [~~(5) states, if applicable, the fee for mailing the~~
13 ~~forms and instructions and the manner in which the individual may~~
14 ~~pay the fee~~].

15 (c) Except as provided by commission rule, the notification
16 [~~The notice~~] required by Subsection (b) must be provided [~~mailed~~]:

17 (1) before the 30th day before the deadline for filing
18 the financial statement under Section 572.026(a) or (c), except as
19 otherwise provided by this subsection;

20 (2) not later than the 15th day after the applicable
21 deadline for filing an application for a place on the ballot or a
22 declaration of write-in candidacy for candidates required to file
23 under Section 572.027(a), (b), or (c);

24 (3) not later than the seventh day after the date of
25 appointment for individuals required to file under Section
26 572.026(b), or if the legislature is in session, sooner if
27 possible; and

1 (4) not later than the fifth day after the date the
2 certificate of nomination is filed for candidates required to file
3 under Section 572.027(d) [~~574.027(d)~~].

4 (d) Except as provided by commission rule, the [~~The~~]
5 commission shall mail a copy of the financial statement forms and
6 instructions to an individual not later than the third business day
7 after the date the commission receives the individual's request for
8 the forms and instructions.

9 SECTION 4. This Act takes effect September 1, 2019.