

By: Raymond

H.B. No. 646

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the applicability of nepotism prohibitions to the
3 appointment or employment of certain classroom teachers by school
4 districts.

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

6 SECTION 1. Section 573.061, Government Code, is amended to
7 read as follows:

8 Sec. 573.061. GENERAL EXCEPTIONS. Section 573.041 does not
9 apply to:

10 (1) an appointment to the office of a notary public or
11 to the confirmation of that appointment;

12 (2) an appointment of a page, secretary, attendant, or
13 other employee by the legislature for attendance on any member of
14 the legislature who, because of physical infirmities, is required
15 to have a personal attendant;

16 (3) a confirmation of the appointment of an appointee
17 appointed to a first term on a date when no individual related to
18 the appointee within a degree described by Section 573.002 was a
19 member of or a candidate for the legislature, or confirmation on
20 reappointment of the appointee to any subsequent consecutive term;

21 (4) an appointment or employment of a bus driver by a
22 school district if:

23 (A) the district is located wholly in a county
24 with a population of less than 35,000; or

1 (B) the district is located in more than one
2 county and the county in which the largest part of the district is
3 located has a population of less than 35,000;

4 (5) an appointment or employment of a personal
5 attendant by an officer of the state or a political subdivision of
6 the state for attendance on the officer who, because of physical
7 infirmities, is required to have a personal attendant;

8 (6) an appointment or employment of a substitute
9 teacher by a school district;

10 (7) an appointment or employment of a classroom
11 teacher, as defined by Section 5.001, Education Code, by a school
12 district in a subject area or geographic area certified by the
13 commissioner of education as experiencing a critical shortage of
14 teachers;

15 (8) an appointment or employment of a person by a
16 municipality that has a population of less than 200; or

17 (9) [~~8~~] an appointment of an election clerk under
18 Section 32.031, Election Code, who is not related in the first
19 degree by consanguinity or affinity to an elected official of the
20 authority that appoints the election judges for that election.

21 SECTION 2. The change in law made by this Act applies only
22 to the appointment or employment of a person by a school district on
23 or after the effective date of this Act. A person who is appointed
24 or employed by a school district before the effective date of this
25 Act is governed by the law in effect at the time the person was
26 appointed or employed, and the former law is continued in effect for
27 that purpose.

1 SECTION 3. This Act takes effect September 1, 2021.