

By: Gutierrez

S.B. No. 621

A BILL TO BE ENTITLED

AN ACT

relating removal from public office or employment for violation of nepotism laws.

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

SECTION 1. Section 573.081, Government Code, is amended by addition subsection (a-1):

Sec. 573.081. REMOVAL IN GENERAL. (a) An individual who violates Subchapter C or Section 573.062(b) shall be removed from the individual's position. The removal must be made in accordance with the removal provisions in the constitution of this state, if applicable. If a provision of the constitution does not govern the removal, the removal must be by a quo warranto proceeding.

(a-1) An individual may not be appointed to or hold a position or public office that is to be directly or indirectly compensated from public funds or fees if the individual has been appointed, confirmed for appointment, or voted for appointment in violation of Subchapter C or Section 573.062(b).

(b) A removal from a position shall be made immediately and summarily by the original appointing authority if a criminal conviction against the appointee for a violation of Subchapter C or Section 573.062(b) becomes final. If the removal is not made within 30 days after the date the conviction becomes final, the individual holding the position may be removed under Subsection (a).

SECTION 2. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2021.