

1-1 By: Buckley, et al. (Senate Sponsor - Flores) H.B. No. 1789
 1-2 (In the Senate - Received from the House April 11, 2023;
 1-3 May 2, 2023, read first time and referred to Committee on
 1-4 Education; May 12, 2023, reported favorably by the following vote:
 1-5 Yeas 13, Nays 0; May 12, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the application of nepotism prohibitions to a person
 1-24 appointed or employed by a school district as a bus driver.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 573.061, Government Code, is amended to
 1-27 read as follows:

1-28 Sec. 573.061. GENERAL EXCEPTIONS. Section 573.041 does not
 1-29 apply to:

1-30 (1) an appointment to the office of a notary public or
 1-31 to the confirmation of that appointment;

1-32 (2) an appointment of a page, secretary, attendant, or
 1-33 other employee by the legislature for attendance on any member of
 1-34 the legislature who, because of physical infirmities, is required
 1-35 to have a personal attendant;

1-36 (3) a confirmation of the appointment of an appointee
 1-37 appointed to a first term on a date when no individual related to
 1-38 the appointee within a degree described by Section 573.002 was a
 1-39 member of or a candidate for the legislature, or confirmation on
 1-40 reappointment of the appointee to any subsequent consecutive term;

1-41 (4) an appointment or employment of a bus driver by a
 1-42 school district if:

1-43 (A) the district is located wholly in a county
 1-44 with a population of less than 35,000; ~~or~~

1-45 (B) the district is located in more than one
 1-46 county and the county in which the largest part of the district is
 1-47 located has a population of less than 35,000; or

1-48 (C) the board of trustees of the district
 1-49 approves the appointment or employment;

1-50 (5) an appointment or employment of a personal
 1-51 attendant by an officer of the state or a political subdivision of
 1-52 the state for attendance on the officer who, because of physical
 1-53 infirmities, is required to have a personal attendant;

1-54 (6) an appointment or employment of a substitute
 1-55 teacher by a school district;

1-56 (7) an appointment or employment of a person by a
 1-57 municipality that has a population of less than 200; or

1-58 (8) an appointment of an election clerk under Section
 1-59 32.031, Election Code, who is not related in the first degree by
 1-60 consanguinity or affinity to an elected official of the authority
 1-61 that appoints the election judges for that election.

2-1 SECTION 2. The change in law made by this Act applies only
2-2 to the appointment or employment of a person by a school district on
2-3 or after the effective date of this Act. A person who is appointed
2-4 or employed by a school district before the effective date of this
2-5 Act is governed by the law in effect at the time the person was
2-6 appointed or employed, and the former law is continued in effect for
2-7 that purpose.

2-8 SECTION 3. This Act takes effect September 1, 2023.

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