

By: Zaffirini

S.B. No. 2323

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the use of state property by state officers and  
3 employees.

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

5 SECTION 1. Section 2203.004, Government Code, is amended to  
6 read as follows:

7 Sec. 2203.004. REQUIREMENT TO USE STATE PROPERTY FOR STATE  
8 PURPOSES. (a) Except as provided by Subsection (b), state [~~State~~  
9 property may be used only for state purposes. A person may not  
10 entrust state property to a state officer or employee or to any  
11 other person if the property is not to be used for state purposes.

12 (b) A state officer or employee may use state property for  
13 personal purposes only to the extent that:

14 (1) the use:

15 (A) is negligible, including use that would cause  
16 only ordinary wear and tear; and

17 (B) does not:

18 (i) substantially damage state property;

19 (ii) involve a significant intrusion into  
20 the officer's or employee's actual work time; or

21 (iii) serve a commercial purpose;

22 (2) if the state property being used is telephone or  
23 computer services, the officer or employee reimburses the state for  
24 any additional costs resulting from the use, such as charges for

1 personal long-distance phone calls; and

2 (3) if the state property being used is not described  
3 by Subdivision (2), the use causes only a negligible expense, such  
4 as the use of small amounts of office supplies.

5 (c) This section does not prohibit a state agency from  
6 adopting more stringent rules or regulations governing state  
7 officer or employee use of state property.

8 (d) In using state property, a state officer or employee  
9 shall protect and conserve the property to the extent practicable  
10 and perform the officer's or employee's duties in good faith.

11 SECTION 2. This Act takes effect September 1, 2023.