

## **BILL ANALYSIS**

Senate Research Center  
89R5446 MZM-D

S.B. 869  
By: Birdwell  
State Affairs  
2/20/2025  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2019, the legislature adopted S.B. 548 into law which directed the Texas Ethics Commission (TEC) to either dismiss or propose a resolution for a formal complaint within a 120-day period; the only exception would be if the complaint were to proceed to litigation. The TEC, however, adopted without explicit authority what is now Rule 12.23(d), which provides the 120-day deadline is tolled (delayed) upon the issuance of a subpoena and resets "on the date the person to whom the subpoena is directed complies with the subpoena."

S.B. 869 clarifies that during an investigation of an official complaint, the TEC must either dismiss or propose a resolution within a 120-day period without tolling unless litigation is brought by the respondent or the commission regarding the complaint.

As proposed, S.B. 869 amends current law relating to the deadline for the Texas Ethics Commission to resolve certain complaints.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 571.1242(h), Government Code, as follows:

(h) Provides that, notwithstanding any other law, including Sections 571.1244 (Preliminary Review and Preliminary Review Procedures) and 571.136 (Extension of Deadline):

(1) creates this subdivision from existing text and makes nonsubstantive changes; and

(2) prohibits the Texas Ethics Commission (TEC) from tolling or extending the deadline under Subsection (g) (relating to requiring TEC to take certain actions upon receiving a respondent's response to notice) for a duration other than the duration described by Subdivision (1) (relating to providing that the deadline under Subsection (g) is tolled only for a certain duration) or adopting or enforcing a rule to toll or extend the deadline for a duration other than the duration described by that subdivision.

SECTION 2. Makes application of Section 571.1242(h), Government Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2025.