

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

February 21, 2025

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB869 by Birdwell (Relating to the deadline for the Texas Ethics Commission to resolve certain complaints.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB869, As Introduced: a negative impact of (\$595,240) through the biennium ending August 31, 2027.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2026	(\$300,430)
2027	(\$294,810)
2028	(\$294,810)
2029	(\$294,810)
2030	(\$294,810)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>
2026	(\$300,430)
2027	(\$294,810)
2028	(\$294,810)
2029	(\$294,810)
2030	(\$294,810)

Fiscal Analysis

The bill would amend the Government Code relating to the timing that the Texas Ethics Commission (TEC) has to investigate an alleged complaint. Under current practices, TEC has 120 days following a response from the alleged offender to either make an initial settlement offer or dismiss the complaint. This time is reset should TEC respond to the alleged offender with additional written questions.

The bill would remove the ability of TEC to toll the 120-day clock with additional questions or discovery requests in its preliminary review of the case, as currently established under TEC rules 12.22 and 12.23. According to the agency, under the provisions of the bill, in order to avoid mandatory dismissals TEC would be required to engage in hearings or litigation over discovery under the provisions of Government Code 571.1242(i). TEC currently has five attorneys engaged in enforcement and the agency estimates that an additional two attorneys would be required to maintain current levels of performance during these hearings.

Methodology

TEC estimates that each additional Attorney III position would cost \$110,000 per year in salaries and \$35,013 in benefits per fiscal year. According to the agency, initial additional operating expenses, such as computers and office space and equipment, would be \$5,202 in fiscal year 2026 and \$2,392 per fiscal year thereafter per attorney.

Technology

No additional technology costs beyond normal office expenses are anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 356 Texas Ethics Commission

LBB Staff: JMc, WP, LCO, GP