

**House Bill 3711**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>SECTION 1. Section 411.0252, Government Code, is amended to read as follows:</p> <p>Sec. 411.0252. OFFENSES AGAINST PUBLIC ADMINISTRATION. For purposes of this subchapter, the following are offenses against public administration:</p> <p>(1) an offense under Title 8, Penal Code, committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment;</p> <p>(2) an offense under Chapter 301, 302, 571, 572, or 2004 committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment or by a candidate for state office;</p> <p>(3) an offense under Chapter 573 committed by a state officer in connection with the powers and duties of the state office; <del>and</del></p> <p>(4) an offense under Title 15, Election Code, committed in connection with:</p> <p>(A) a campaign for or the holding of state office; or</p> <p>(B) an election on a proposed constitutional amendment; <u>and</u></p> <p><u>(5) an offense under Chapter 551 committed by a county or municipal officer or school district board of trustees member.</u></p>	<p>No equivalent provision.</p>	
<p>SECTION 2. Section 411.0253, Government Code, is amended by adding Subsection (d-1) and amending Subsection (e) to read as follows:</p> <p><u>(d-1) A prosecuting attorney who receives a formal or informal complaint regarding an offense against public administration described by Section 411.0252(5) shall request the assistance of the public integrity unit in the investigation of the offense.</u></p> <p>(e) The public integrity unit shall:</p>	<p>No equivalent provision.</p>	

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(1) [5] on request of the prosecuting attorney described by Subsection (d) and for an offense against public administration other than an offense described by Section 411.0252(5), assist the attorney in the investigation of the [aa] offense; or  
(2) on request of the prosecuting attorney described by Subsection (d) or (d-1) and for an offense against public administration described by Section 411.0252(5):  
(A) assist the attorney in the investigation of the offense; or  
(B) refer the investigation of the offense to another law enforcement agency with jurisdiction to investigate the offense [against public administration].

SECTION 3. Section 411.0254, Government Code, is amended to read as follows:  
Sec. 411.0254. NOTIFICATION REGARDING DISPOSITION OF CASE. (a) The prosecuting attorney shall notify the public integrity unit of:  
(1) the termination of a case investigated by the public integrity unit; or  
(2) the results of the final disposition of a case investigated by the public integrity unit, including the final adjudication or entry of a plea.  
(b) If the prosecuting attorney decides to not prosecute or to terminate the investigation of a case regarding an offense against public administration described by Section 411.0252(5), the attorney shall publish on the attorney's Internet website, if any, for a period of not less than one year:  
(1) notice of the attorney's decision to not prosecute the case;  
and  
(2) the attorney's reason for not prosecuting the case.

No equivalent provision.

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SECTION 4. The changes in law made by this Act apply only to the investigation or prosecution of an offense committed on or after the effective date of this Act. The investigation or prosecution of an offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

No equivalent provision.

No equivalent provision.

SECTION 1. Subchapter B, Chapter 2A, Code of Criminal Procedure, is amended by adding Article 2A.067 to read as follows:  
Art. 2A.067. PROVISION OF CERTAIN INFORMATION TO ATTORNEY GENERAL. (a) A law enforcement agency that submits to the office of a district attorney, criminal district attorney, or county attorney a report stating there is probable cause to believe an identified person has committed a criminal offense under Chapter 551, Government Code, shall simultaneously submit a copy of that report to the open records division of the attorney general's office.  
(b) On request of the attorney general, a law enforcement agency shall provide all requested information that has not been made publicly available regarding an investigation of an offense under Chapter 551, Government Code, to the open records division of the attorney general's office.

No equivalent provision.

SECTION 2. Subchapter C, Chapter 2A, Code of Criminal

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Procedure, is amended by adding Article 2A.112 to read as follows:

Art. 2A.112. INVESTIGATION OF OPEN MEETING OFFENSES. (a) A district attorney, criminal district attorney, or county attorney representing the state in the prosecution of a criminal offense under Chapter 551, Government Code, may request the assistance of the open records division of the attorney general's office in the investigation of the offense. [FA1(1)]

(b) On request of the attorney general, the district attorney, criminal district attorney, or county attorney representing the state in the prosecution of a criminal offense under Chapter 551, Government Code, shall provide to the open records division of the attorney general's office all requested information that has not been made publicly available regarding the investigation of the offense. [FA1(2)]

(c) If a district attorney, criminal district attorney, or county attorney who receives a report under Article 2A.067(a) or who represents the state in the prosecution of a criminal offense under Chapter 551, Government Code, decides to not prosecute or to terminate the investigation of a case regarding an offense under that chapter, the attorney shall publish on any Internet website maintained by the attorney's office, for a period of not less than one year:

(1) notice of the attorney's decision to not prosecute or to terminate the investigation of the case; and

(2) the attorney's reason for not prosecuting or for terminating the investigation of the case. [FA1(3)]

SECTION 3. Subchapter B, Chapter 402, Government Code, is amended by adding Section 402.02801 to read as follows:

No equivalent provision.

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Sec. 402.02801. INVESTIGATION OF OPEN MEETING OFFENSES. (a) The open records division of the attorney general's office, on the request of a law enforcement agency under Article 2A.067, Code of Criminal Procedure, or an attorney representing the state under Article 2A.112, Code of Criminal Procedure, may assist the agency or attorney in the investigation of a criminal offense under Chapter 551.  
(b) To assist in an investigation under Subsection (a), the open records division of the attorney general's office may request from a law enforcement agency or an attorney representing the state in the prosecution of an offense under Chapter 551 any information relating to the offense that has not been made publicly available.

SECTION 5. This Act takes effect September 1, 2025.

SECTION 4. Same as House version.