

1-1 By: Gallegos S.B. No. 2468
1-2 (In the Senate - Filed March 26, 2009; March 31, 2009, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 23, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 23, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2468 By: Van de Putte

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the postemployment activities of certain local
1-11 government officers in certain counties; providing a penalty.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 171, Local Government Code, is amended
1-14 by adding Section 171.011 to read as follows:

1-15 Sec. 171.011. REPRESENTATION BY FORMER LOCAL GOVERNMENT
1-16 OFFICERS OF CERTAIN COUNTIES RESTRICTED; CRIMINAL OFFENSE.

1-17 (a) This section applies only to a county with a population of 3.3
1-18 million or more.

1-19 (b) In this section:

1-20 (1) "Local government officer" means:

1-21 (A) a member of the commissioners court or other
1-22 officer of a county to which this section applies;

1-23 (B) an officer of a precinct of a county to which
1-24 this section applies; or

1-25 (C) a member of the governing body or other
1-26 officer of a flood control district or a hospital district, any part
1-27 of which is located in a county to which this section applies.

1-28 (2) "Participated" means to have taken action as an
1-29 officer or employee through decision, approval, disapproval,
1-30 recommendation, giving advice, investigation, or similar action.

1-31 (3) "Particular matter" means a specific
1-32 investigation, application, request for a ruling or determination,
1-33 rulemaking proceeding, contract, claim, charge, accusation,
1-34 arrest, or judicial or other proceeding.

1-35 (c) A former local government officer may not make any
1-36 communication to or appearance before an officer or employee of the
1-37 governing body on or under which the former local government
1-38 officer served before the second anniversary of the date the local
1-39 government officer ceased to serve on or under the governing body if
1-40 the communication or appearance is made:

1-41 (1) with the intent to influence; and

1-42 (2) on behalf of any person in connection with any
1-43 matter on which the person seeks official action.

1-44 (d) A former local government officer may not represent any
1-45 person or receive compensation for services rendered on behalf of
1-46 any person regarding a particular matter in which the former local
1-47 government officer participated during the period of service as a
1-48 local government officer.

1-49 (e) A person commits an offense if the person violates this
1-50 section. An offense under this subsection is a Class C misdemeanor.

1-51 SECTION 2. The change in law made by Subsection (d), Section
1-52 171.011, Local Government Code, as added by this Act, applies only
1-53 to a person who ceases service as a local government officer on or
1-54 after the effective date of this Act. A person who ceased service
1-55 as a local government officer before the effective date of this Act
1-56 is governed by the law in effect when the person ceased service, and
1-57 the former law is continued in effect for that purpose.

1-58 SECTION 3. This Act takes effect September 1, 2009.

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