

By: Davis of Harris

H.B. No. 3511

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the contents of financial statements that are  
3 electronically filed by certain persons; adding a provision subject  
4 to criminal penalties.

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

6 SECTION 1. Section 572.023, Government Code, is amended by  
7 adding Subsections (g) and (h) to read as follows:

8 (g) A person who electronically files a verified financial  
9 statement with the commission or another filing authority is not  
10 required to include a notarized affidavit with the financial  
11 statement if the person:

12 (1) has requested and received an electronic filing  
13 password pursuant to the rules of the commission or other  
14 authority, as applicable; and

15 (2) uses that password to file the financial  
16 statement.

17 (h) Each financial statement filed under this chapter that  
18 is not filed electronically must be accompanied by an affidavit  
19 executed by the person required to file the financial statement.  
20 The affidavit must contain the statement: "I swear, or affirm,  
21 under penalty of perjury, that the accompanying report is true and  
22 correct and includes all information required to be reported by me  
23 under Chapter 572, Government Code." Each financial statement filed  
24 electronically under this chapter must be under oath by the person

1 required to file the financial statement and must contain, in  
2 compliance with commission or local filing authority  
3 specifications, the digitized signature of the person required to  
4 file the financial statement. A financial statement filed under  
5 this chapter is considered to be under oath by the person required  
6 to file the financial statement, and the person is subject to  
7 prosecution under Chapter 37, Penal Code, regardless of the absence  
8 of or a defect in the affidavit.

9       SECTION 2. This Act applies only to a financial statement  
10 due on or after the effective date of this Act. A financial  
11 statement due before the effective date of this Act is governed by  
12 the law in effect on the date the financial statement was due, and  
13 the former law is continued in effect for that purpose.

14       SECTION 3. This Act takes effect September 1, 2015.