A BILL TO BE ENTITLED

1   AN ACT

2 relating to conflicts of interest by members of state agency

3 governing boards; creating a criminal offense.

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

5   SECTION 1. Subtitle B, Title 5, Government Code is amended

6 by adding Chapter 576 to read as follows:

7   CHAPTER 576. CONFLICT OF INTEREST BY MEMBER OF STATE AGENCY

8   GOVERNING BOARD

9   Sec. 576.001. DEFINITIONS. In this chapter:

10   (1) "Conflict of interest" means a circumstance in

11 which an individual who is a member of a governing board is in a

12 position to receive a pecuniary gain, other than a gain that is de

13 minimis or a gain that is common to a broad class of individuals,

14 from a decision of the governing board.

15   (2) "State agency" means a board, commission, council,

16 committee, department, office, agency, or other governmental

17 entity in the executive branch of state government.

18   Sec. 576.002. DUTY TO DISCLOSE AND REFRAIN FROM

19 PARTICIPATING. In all cases in which an individual who is a member

20 of the governing board of a state agency has a conflict of interest,

21 the individual:

22   (1) shall disclose the conflict of interest in writing

23 to the state agency; and

24   (2) may not participate in the decision of the

1 governing board.

2   Sec. 576.003. PUBLIC INFORMATION. A written disclosure

3 made under Section 576.002 is public information.

4   Sec. 576.004. REPORT TO THE TEXAS ETHICS COMMISSION. (a) A

5 state agency that receives a written disclosure under Section

6 576.002 shall file a copy of the disclosure with the Texas Ethics

7 Commission.

8   (b) The commission may adopt rules as necessary regarding

9 the disclosure to be filed with the commission.

10   Sec. 576.005. CRIMINAL PENALTY. (a) An individual commits

11 an offense if the individual knowingly fails to comply with the

12 requirements of Sec. 576.002.

13   (b) An offense under this section is a Class B misdemeanor.

14   SECTION 2. This act takes effect September 1, 2015.