

BILL ANALYSIS

Senate Research Center

H.B. 2451
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Ethics Commission (commission) has generated significant negative attention in recent years. On many occasions, commissioners have questioned whether the commission has the authority to interpret and implement the law. The commission has sent several issues to the legislature for clarification, insisting it cannot resolve such issues without legislation. The latest clarification involved the commission's request for a legislative definition of the word "description." Even though other state agencies are authorized to adopt rules to address such issues, the commission is not authorized to do so.

H.B. 2451 requires the commission to adopt rules consistent with its purpose and objectives in order that it may address issues of interpretation as they occur, rather than during the legislative session.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Ethics Commission is modified in SECTION 1 (Section 571.062, Government Code), of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 571.062(a), Government Code, to require, rather than authorize, the Texas Ethics Commission (commission), on the affirmative vote of at least six of its members, to adopt rules consistent with the purpose and objectives stated in Section 571.001 to administer, implement, or interpret this chapter or any other law administered and enforced by the commission.

SECTION 2. Amends Section 571.001, Government Code, require this chapter to be construed to achieve certain objectives, including fully disclosing information related to political consultants who are compensated to influence elections as well as governmental actions.

SECTION 3. Effective date: upon passage or September 1, 2007.