

BILL ANALYSIS

Senate Research Center
81R10186 CAE-D

H.B. 3216
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State Affairs
5/8/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Ethics Commission (TEC) is required to send written notification within five business days of receiving a complaint to both the complainant and respondent. However, if a complaint is filed against a citizen of Texas, that citizen, for the purpose of protecting his or her reputation, should have the right to be immediately notified. H.B. 3216 would require TEC to immediately attempt to contact and notify the respondent of the complaint by telephone or electronic mail.

H.B. 3216 relates to telephone or electronic mail notification to a respondent of a complaint filed with TEC.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 571.123(b), Government Code, as follows:

(b) Requires the Texas Ethics Commission (TEC), after a complaint is filed, to immediately attempt to contact and notify the respondent of the complaint by telephone or electronic mail. Requires TEC, if TEC fails to contact the respondent by telephone or electronic mail, to send written notice to the respondent. Requires TEC, not later than the fifth business day after the date a complaint is filed, to send written notice to the complainant and, unless it has previously done so, to the respondent. Requires that the written notice to the complainant and the respondent state whether the complaint complies with the form requirements of Section 571.122 (Filing of Complaint; Contents); and if applicable, include the information required by Section 571.124(e) (relating to the required contents of the notice).

SECTION 2. Effective date: upon passage or September 1, 2009.