

SUBJECT: Allowing Montgomery County to create a county ethics commission

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 6 ayes — Bohac, Anderson, Cole, Dominguez, Huberty, Rosenthal
2 nays — Biedermann, Stickland
1 absent — Coleman

WITNESSES: For — B.D. Griffin, Montgomery County Attorney Office
Against — None

BACKGROUND: Local Government Code ch. 161 governs county ethics commissions in counties that have a population of 800,000 or more, are located on the international border, and that before September 1, 2009, had an appointed county ethics board. Sec. 161.051 allows the commissioners court of such a county to establish a county ethics commission.

DIGEST: CSHB 1495 would apply Local Government Code ch. 161 to counties that had a population of 435,000 or more, were adjacent to a county with a population of 3.3 million or more, and contained a portion of the San Jacinto River (Montgomery County). The bill would be known as the J D Lambright Local Government Ethics Reform Act.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

SUPPORTERS SAY: CSHB 1495 would allow Montgomery County to establish a county ethics commission, which would help provide local accountability and could enforce existing codes of ethics.

Concerns expressed in recent years by some citizens about the need to prevent instances of unethical political behavior led to the adoption of a

countywide official code of ethics in 2017. However, this code lacks needed enforcement provisions that the statutory authority under CSHB 1495 could provide.

While the Texas Ethics Commission provides broad oversight over candidates and office holders in the state, a local county ethics commission would provide an avenue for complaints to be made to local appointees familiar with the officials and any possible conflicts of interest.

**OPPONENTS
SAY:**

CSHB 1495 would allow Montgomery County to create an unnecessary commission. The Texas Ethics Commission oversees political candidates and officeholders in the state, making a county ethics commission redundant.