

Mr. Snell attended training on Conflicts of Interest on February 23, 2016. This information allows the board of trustees and SHISD local government officers to be aware of the new requirements and is a brief synopsis of the presentation by Joseph Hoffer of the law firm of Schulman, Lopez, Hoffer & Adelstein, LLP.

#### CONFLICTS OF INTEREST

Texas Local Government Code chapter 176 proscribes that local government officers shall file the required conflicts disclosure statement, Form CIS, as adopted by the Texas Ethics Commission, with respect to certain relationships and gifts involving vendors. Cathy Reed assists board members with these disclosures and serves as the records administrator of SHISD. HB 23 amended chapter 176 expanding the definitions of "officer" and "family relationships." This change is effective beginning September 1, 2015. It is a misdemeanor offense to knowingly not file a disclosure statement. There are three broad changes within this section:

- 1) Local government officers now include board members, administrators and officers of a public school including an agent or employee who exercises discretion in the planning, recommending, selecting or contracting of a vendor.
- 2) Family relationships is defined as a relationship between two persons with the third degree by consanguinity or the second degree by affinity. Please see the attached information for a visual determination of family relationships. Officers and vendors are now required to report any family relationships in addition to family members.
- 3) Monetary threshold for reporting gifts received from a vendor is reduced from \$ 250 to \$ 100 in the aggregate for gifts received within the previous 12 month period. A gift means a benefit including food, lodging, transportation and entertainment accepted as guest.

These changes also have the following further applications with regard to the timeline for filing and the events that create a need for filing the conflicts disclosure statement:

- 1) Local government officers shall file the disclosure statement with respect to a vendor if the vendor enters into a contract with or is considering entering into a contract the school district, and
  - A) the vendor has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$ 2,500 during the preceding 12 month period, or
  - B) the vendor has given the local government officer or a family member of the officer one or more gifts that aggregate to more than \$ 100 during the preceding 12 month period.
- 2) Local government officers shall file the conflicts disclosure statement with the records administrator of the local government entity not later than 5 pm on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement.

# LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

**FORM CIS**

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

**OFFICE USE ONLY**

Date Received

**1** Name of Local Government Officer

**2** Office Held

**3** Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

**4** Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.

**5** List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

(attach additional forms as necessary)

**6** **AFFIDAVIT**

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

\_\_\_\_\_  
Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

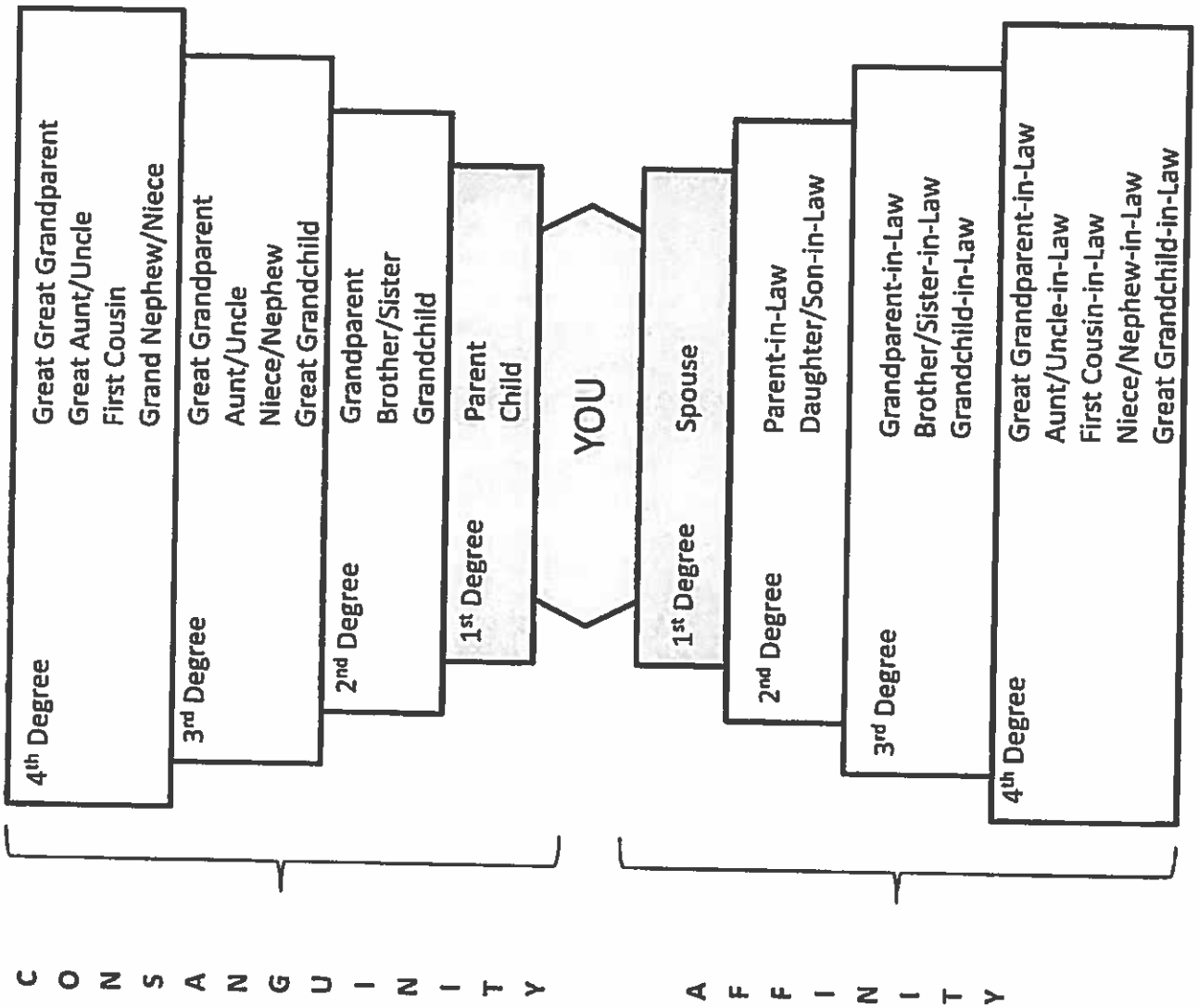
Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, to certify which, witness my hand and seal of office.

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Printed name of officer administering oath

\_\_\_\_\_  
Title of officer administering oath

# IMMEDIATE FAMILY MEMBERS



Note: Step relationships (step-brother, step-father, etc.) are considered to be the same as blood relationships.