



# TEXAS ETHICS COMMISSION



## ETHICS ADVISORY OPINION NO. 86

*November 5, 1992*

*Whether a member of the Texas Veterans' Land Board is required to file a financial statement under article 6252-9b, V.T.C.S. (AOR-107)*

The Texas Ethics Commission has been asked whether a member of the Texas Veterans' Land Board is required to file a financial statement under article 6252-9b, V.T.C.S. Section 3(a) of article 6252-9b, V.T.C.S., requires "every state officer" to file an annual financial disclosure statement with the Ethics Commission. *See generally Ethics Advisory Opinion No. 1* (1992). Included in the definition of "state officer" are both salaried and unsalaried officers who are appointed to their positions "for a term of office specified by the constitution or a statute of this state."<sup>1</sup> V.T.C.S. art. 6252-9b, § 2(1), (3), (4).

Article III, section 49-b, of the Texas Constitution provides that members of the Veterans' Land Board are "the Commissioner of the General Land Office and two (2) citizens of the State of Texas, one (1) of whom shall be well versed in veterans' affairs and one (1) of whom shall be well versed in finances." Citizen members are appointed by the governor. They are not salaried. Tex. Const. art. III, § 49-b.

The board "is a state agency designated to perform the governmental functions authorized in Article III, Section 49-b of the Texas Constitution." Nat. Res. Code § 161.011. The board has authority, among other things, to execute bonds, fix interest rates, set rules, conduct investigations, and charge fees. *Id.* ch. 161; *see Ethics Advisory Opinion No. 28* at 1 (1992).

The members of the Veterans' Land Board are appointed state officers within the definition of section 2(1) of article 6252-9b. All "state officers" are required to file annual financial disclosure statements. V.T.C.S. art. 6252-9b, § 3(a). Therefore, a member of the Veterans' Land Board is subject to the financial disclosure requirements of article 6252-9b.

### SUMMARY

A member of the Texas Veterans' Land Board is required to file a financial disclosure statement under article 6252-9b, V.T.C.S.

<sup>1</sup> Section 2(1) of article 6252-9b, V.T.C.S., defines state officer as "an elected officer, an appointed officer, a salaried appointed officer, an appointed officer of a major state agency, or the executive head of a state agency as defined in this section."