



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 265

May 12, 1995

Whether a state employee who is statutorily authorized to act in a state officer's absence is required to file a financial disclosure statement under chapter 572 of the Government Code. (SP-4)

A question has arisen about whether a state employee who is statutorily authorized to act in a state officer's absence is required to file a financial disclosure statement under chapter 572 of the Government Code. *See, e.g.*, V.T.C.S. arts. 342-202 (deputy banking commissioner), 581-2, § H (deputy securities commissioner); Gov't Code §§ 402.001 (first assistant attorney general), 403.003 (comptroller's chief clerk), 404.042 (first assistant treasurer), 405.004 (assistant secretary of state).

In the past some individuals who serve as deputies to state officers have chosen to file financial disclosure statements. Chapter 572 does not, however, require such deputies to file. We note that this situation is different from the case of an employee designated by a state officer to serve as a regular member of a state board, or the case of an acting or interim executive head of a state agency. *See Ethics Advisory Opinion No. 27* (1992). In those cases, the designee or acting director must file a financial statement.

SUMMARY

Chapter 572 of the Government Code does not require a person who is authorized to act in a state officer's absence to file a personal financial statement.