



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 635

December 10, 2025

ISSUE

Whether a former state employee may accept a job with a company when he participated in a procurement involving that same company during his state service without violating Section 572.069 of the Government Code if he recuses himself from state projects. (AOR-737)

SUMMARY

The requestor may not accept employment from the company at issue before the second anniversary of the date the contract was signed or the procurement is terminated or withdrawn.

FACTS

The requestor previously worked for a regulatory agency. While a state employee, the requestor participated in the solicitation process for a vendor. The requestor is now seeking employment with that vendor. The requestor asks if he could immediately begin work with the vendor if he does not participate in any work for the vendor involving his former state agency.

A former state officer or employee of a state agency who during the period of state service or employment participated on behalf of a state agency in a procurement or contract negotiation involving a person may not accept employment from that person before the second anniversary of the date the contract is signed or the procurement is terminated or withdrawn. Tex. Gov't Code § 572.069.

ANALYSIS

As the requestor participated in the solicitation process for the vendor, he is barred from accepting employment with that vendor before the second anniversary of the date the contract was signed. Tex. Gov't Code § 572.069.

The requestor asked if his participation with the vendor bars his employment for two years even if he does not work on a matter involving his former state agency or any state agency if employed by the vendor. Section 572.069 is a prophylactic measure that prevents a person from accepting employment for a two-year period after participating in procurement with the potential employer. It applies without exception and regardless of whether the former state employee's proposed work would involve the state agency.