



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 640

February 11, 2026

ISSUE

Whether the revolving door prohibition in Section 572.069 of the Government Code would prohibit a former employee of a state agency from accepting certain employment. (AOR-742)

SUMMARY

A former state employee participates on behalf of a state agency in a procurement or contract negotiation with a subcontractor if the subcontractor is identified as providing work in the contract.

FACTS

The requestor currently works for a state agency. The requestor participated in the selection process for a contract. The requestor scored responses to a Request for Proposal (RFP) and participated in selecting the prime provider on the contract. The requestor stated he was not involved in the negotiations with the prime provider and the subcontractor, but that the subcontractor was listed as a subcontracting partner in the RFP.

ANALYSIS

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from that person before the second anniversary of the date the contract is signed or the procurement is terminated or withdrawn.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.

A contract that identifies a subcontractor as performing work “involves” the identified subcontractor for purposes of Section 572.069. Tex. Ethics Comm’n Op. No. 545 (2017).

The requestor “participated” on behalf of a state agency in a procurement or contract negotiation by scoring responses to an RFP and the procurement “involved” the subcontractor as it was named in the contract.

Therefore, the requestor would be barred from accepting employment from the subcontractor if he left state employment for two years after the contract was signed.