

**ORDINANCE NO. 2022-37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 2.461 OF SAN MARCOS CITY CODE TO PROVIDE A DEFINITION OF THE TERM “FAIR MARKET VALUE” FOR THE PURPOSE OF REPORTING INTERESTS IN REAL PROPERTY IN ANNUAL FINANCIAL DISCLOSURE STATEMENTS REQUIRED UNDER THE SAN MARCOS CODE OF ETHICS; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**SECTION 1.** Section 2.461 of the San Marcos City Code is hereby amended to read as follows (added language is underlined):

**Sec. 2.461. Definitions.**

In this division:

*Board member* means a member of a board or commission whose membership is wholly appointed by the city council, including any temporary board or commission.

*Business entity* means a corporation, partnership, sole proprietorship, firm, holding company, joint stock company, receivership, trust or any other entity organized for profit.

*Candidate* means every person who declares for or files for any city office to be filled by election.

*Compensation* means any benefit received in return for labor, services, property or investment.

*Fair market value* means the appraised value reflected on the certified appraisal roll as of December 31<sup>st</sup> of the prior year by the appraisal district in the county where the property is located.

*Family member* means the spouse and any dependent children of any official or candidate.

*Gift* means a benefit received other than as compensation, but not including campaign contributions reported as required by state law.

*Identification* means, for an individual, the person's name, street address, city and state. For any entity other than an individual, the term "identification" means the name, address, city and state of the entity's principal location or place of business; the type or nature of the entity's principal location or place of business; the type or nature of the entity; the date on which it came into existence; the state of incorporation, if any; and the names of the partners or officers of the entity.

*Income* means a benefit received.

*Source of income* means any business entity, employment, investment or activity which earned or produced income, including interest, dividends, royalties or rents.

**SECTION 2.** If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 4.** This ordinance will take effect after its passage, approval and adoption on second reading.

**PASSED AND APPROVED** on first reading on May 3, 2022.

**PASSED, APPROVED AND ADOPTED** on second reading on May 17, 2022.

Jane Hughson  
Mayor

Attest:

Approved:

Elizabeth Trevino  
Interim City Clerk

Michael J. Cosentino  
City Attorney