

**SUBJECT:** Prohibiting certain contributions for the administration of elections

**COMMITTEE:** Elections — committee substitute recommended

**VOTE:** 5 ayes — Cain, Clardy, Jetton, Schofield, Swanson  
4 nays — J. González, Beckley, Bucy, Fierro

**WITNESSES:** For — Gerald Welty, Convention of States; Alan Vera, Harris County Republican Party Ballot Security Committee; Alli Fick, Opportunity Solutions Project; Chad Ennis, Texas Public Policy Foundation; Robert L. Green, Travis County Republican Party Election Integrity Committee; Eric Opiela; (*Registered, but did not testify*: Molly White, Conservative Republicans of Texas; Ruth York, Texas Family Defense Committee and Tea Party Patriots of Eastland County; Scott OGrady, Texans for Election Integrity; Beth Biesel, Cindi Castilla, and Deana Johnston, Texas Eagle Forum; Donald Garner, Texas Faith and Freedom Coalition; Marcia Strickler, Wilco We Thee People; and 26 individuals)

Against — Rene Perez, Libertarian Party of Texas; Glen Maxey, Texas Democratic Party; (*Registered, but did not testify*: Matt Simpson, ACLU of Texas; Melissa Shannon, Bexar County Commissioners Court; Stephanie Gomez, Common Cause Texas; Joanne Richards, Common Ground for Texans; Daniel Collins, El Paso County; Richard Evans, Engage Action; Thamara Narvaez, Harris County Commissioners Court; Susan Schultz, League of Women Voters of Texas; Lon Burnam, Public Citizen; Leonard Aguilar, Texas AFL-CIO; Jennifer Anderson, Texas Association of Elections Administrators; James Slattery, Texas Civil Rights Project; Jen Ramos, Texas Democratic Party; Carisa Lopez, Texas Freedom Network; Julie Wheeler, Travis County Commissioners Court; Stephanie Gharakhanian, Workers Defense Action Fund; and 10 individuals)

On — Keith Ingram, Texas Secretary of State

**DIGEST:** CSHB 2283 would prohibit a joint elections commission, county election

commission, and county election board from accepting a contribution of \$1,000 or more, including the value of in-kind donations, offered by a private individual, corporation, partnership, trust, or another third party, or to use such a contribution to perform a function of administering elections. A joint elections commission, county election commission, and county election board would be allowed to accept contributions of less than \$1000 only with written consent from the relevant political subdivision.

The bill would not prohibit the acceptance of:

- an in-kind donation of food or beverage for election workers during the administration of an election; or
- any state or federal funds administered or distributed by the secretary of state.

The bill also would prohibit a county commissioners court from accepting a donation of \$1,000 dollars or more for the purpose of administering elections. A commissioners court also could not use for the purpose of administering elections other donations that the court is allowed by law to receive.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

SUPPORTERS  
SAY:

CSHB 2283 would protect the integrity of the state's elections by prohibiting election administrators from accepting large donations from private individuals and organizations for the purposes of administering elections. Allowing private entities to make elections-related donations to specific counties can create an unfair distribution of election administration resources, with certain counties receiving the lion's share of private funds. In addition, large private donations could lead to abuse, and the state should avoid even the appearance of undue influence over elections in order to ensure voter confidence.

CSHB 2283 is the best way to address the concerns raised by large private donations for elections administration. The suggested alternative of additional state oversight of donations or grants for election administration could impose an administrative burden on the state without affecting the ability of private entities to set the terms and conditions for such donations without government input. Any concerns about the level of state funding for elections administration should be addressed through other legislative action. Elections should be funded solely by public funds as a matter of principle.

CRITICS  
SAY:

CSHB 2283 would exacerbate the problem of the underfunding of election administrations in this state by limiting the ability of counties to offset election-related costs via grants and donations. There is no evidence that private grants and donations have had a partisan or otherwise corrupting influence on recent elections. The bill would be improved by requiring additional oversight, such as by the secretary of state, over grants and donations rather than prohibiting them outright. Disallowing good faith donations would not serve the public's interest in efficient elections administration.