

BILL ANALYSIS

Senate Research Center
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H.B. 1094
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, counties with populations of 800,000 or more and municipalities with populations of 500,000 or more must post the campaign contribution and expenditure reports of current officeholders.

H.B. 1094 expands current law to require the clerks of counties and municipalities to post the campaign contributions not only of the elected officials but also of the candidates for those offices as well as of specific-purpose committees. These reports will have to be posted on the county and city websites not later than two business days after the reports are filed.

H.B. 1094 amends current law relating to the availability on the Internet of reports of political expenditures and contributions filed in connection with certain county and municipal offices.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 254.0401, Election Code, to read as follows:

Sec. 254.0401. AVAILABILITY OF REPORTS ON INTERNET.

SECTION 2. Amends Section 254.0401, Election Code, by adding Subsections (a-1) and (c) and amending Subsection (f), as follows:

(a-1) Requires the county clerk of a county with a population of 800,000 or more to make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with a county office or the office of county commissioner available to the public on the county's Internet website not later than the second business day after the date the report is filed.

(c) Requires the clerk of a municipality with a population of 500,000 or more to make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with the office of mayor or member of the municipality's governing body available to the public on the municipality's Internet website not later than the second business day after the date the report is filed.

(f) Requires the Texas Ethics Commission (TEC) to clearly state on the Internet website on which reports are provided, rather than provided under Subsection (b), that reports filed by an independent candidate, a third-party candidate, or a specific-purpose committee for supporting or opposing an independent or third-party candidate will not be available if the candidate or committee has not yet filed a report.

SECTION 3. (a) Repealer: Section 254.0401(b) (requiring TEC to provide public access to a report filed under Section 254.036(b) by certain candidates), Election Code.

(b) Repealer, effective January 1, 2012: Section 176.009(b) (relating to requiring a county with a population of 800,000 or more or a municipality with a population of 500,000 or more to provide access to certain reports), Local Government Code.

SECTION 4. Provides that Section 254.0401, Election Code, as amended by this Act, and Section 176.009, Local Government Code, as amended by this Act, apply only to a report of political contributions and expenditures that is required to be filed under Chapter 254, Election Code, on or after January 1, 2012.

SECTION 5. Effective date, except as otherwise provided by this Act: September 1, 2011.