

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 195
By: Farias (Van de Putte)
State Affairs
5/17/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, counties and municipalities with populations at or above specified thresholds must post on the Internet the campaign contributions and expenditure reports of current officeholders. Interested parties assert that it would be beneficial to the voters of Texas to require the clerks of populous counties and municipalities to also post the campaign contribution and expenditure reports of all candidates for those offices as well as the reports of specific-purpose committees.

C.S.H.B. 195 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 fifth business day after the date the report is received.

(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 fifth business day after the date the report is received.

(f) Requires the Texas Ethics Commission (TEC) to clearly state on the Internet website on which reports are provided, rather than on the Internet website on which reports are provided under Subsection (b) (relating to requiring TEC to make a report filed with TEC by a specific-purpose committee for supporting or opposing a certain candidates available on the Internet and by other electronic means by a certain date), 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) (relating to requiring TEC to make a report filed with TEC for a reporting deadline by any candidate for a particular office or by a specific-

purpose committee for supporting or opposing only one candidate for a particular office available to the public on the Internet), Election Code.

(b) Repealer, effective January 1, 2014: Section 176.009(b) (relating to requiring certain municipalities to provide access to each report of political contributions and expenditures by a member of the commissioners court of the county or the governing body of the municipality in relation to that office on the Internet website as soon as practicable after the officer files the report), Local Government Code.

SECTION 4. Provides that Section 254.0401 (Availability of Electronic Reports on Internet), Election Code, as amended by this Act, and Section 176.009 (Posting on Internet), 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, 2014.

SECTION 5. Effective date, except as otherwise provided by this Act: September 1, 2013.