

**SUBJECT:** Requiring district judges to file political contributions electronically

**COMMITTEE:** Judicial Affairs — favorable, without amendment

**VOTE:** 6 ayes — Thompson, Hartnett, Capelo, Deshotel, Solis, Talton  
0 nays  
3 absent — Garcia, Hinojosa, Uresti

**SENATE VOTE:** On final passage, February 20 — voice vote

**WITNESSES:** None

**BACKGROUND:** Texas regulates the financing of political campaigns primarily through disclosure requirements. Officeholders, candidates, political parties, political committees, and legislative caucuses must report individual contributions and expenditures that exceed \$50, along with the name and address of the contributor and the date of the contribution or expenditure.

Election Code, sec. 254.036 requires campaign finance reports to be filed with the Texas Ethics Commission electronically by computer diskette, modem, or other means of electronic transfer unless they spend less than \$20,000 or do not use a computer to maintain their contributor and expenditure lists. The TEC posts this information, excluding the addresses of donors, on the Internet for access by the public. Donor address information is available at the TEC on paper copies of campaign finance reports. Certain offices are exempt from the electronic filing requirement, including district judges, district attorneys, and multicounty statutory county court judges.

**DIGEST:** SB 124 would remove the exemption for district judges from the requirement to file political contribution and expenditure reports electronically, if they accepted political contributions or made political expenditures that exceeded \$20,000 in a calendar year.

The bill would take effect September 1, 2001.

SUPPORTERS  
SAY:

SB 124 would eliminate an unjustified exception to campaign reporting requirements. The House Election Committee's interim report to the 77th Legislature found that campaign financing loopholes in Texas election law deny the public knowledge of the source of campaign funds. Electronic filing of campaign finance reports was intended as one small, fundamental step toward campaign finance reform. It has served the interests of candidates, donors, and voters alike by enhancing the accountability and integrity of campaigns through a more accessible reporting system. This system allows citizens to be fully informed about who is funding political campaigns and how candidates are spending their money.

There is no compelling reason why district judges should be exempt from electronic filing. All statewide candidates, candidates for a district office filled by voters of more than one county, including courts of appeal, candidates for state senator, state representative, and the State Board of Education have to file campaign finance reports electronically if their level of financial activity meets the threshold.

Requiring electronic filing would not place a burden on less well-funded candidates or on candidates who were not computer-literate. Candidates who did not use computers in their campaigns or who collected or spent less than \$20,000 a year would be exempt from the requirement. As long as candidates already used computers to track their financial activity, it would not be an administrative burden and would actually make it easier to file campaign finance reports.

OPPONENTS  
SAY:

Complying with the electronic filing requirement would be an administrative burden especially for candidates and filers who might not have full-time staff or depend on volunteer workers.

NOTES:

A related bill, HB 2 by Gallego, regulating certain political contributions, expenditures, and advertising, is now pending in a House-Senate conference committee.