

BILL ANALYSIS

Senate Research Center
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S.B. 1517
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As Filed

DIGEST

Many times business, interest groups, and political associations create certain organizations as a tool to help promote their interest in the legislature. These organizations conduct political surveys and distribute literature promoting the results of their surveys as reasons to support their interests. Legislators cannot decipher through the distributed literature who the interested group represents, or gauge whether the submitted information is unbiased. S.B. 1516 would require the registration of persons providing results of certain political surveys to the legislature and would provide civil and criminal penalties.

PURPOSE

As proposed, S.B. 1517 requires the registration of persons providing results of certain political surveys to the legislature and provides civil and criminal penalties.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Ethics Commission in SECTION 1 (Section 305.057, Chapter 305D, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 305, Government Code, by adding Subchapter D, as follows:

SUBCHAPTER D. REGISTRATION OF PERSONS PROVIDING RESULTS OF POLITICAL SURVEYS

Sec. 305.051. DEFINITION. Defines "political survey."

Sec. 305.052. REGISTRATION REQUIRED. Prohibits a person from providing the results of a political survey to a member of the legislative branch unless the person registers with the Texas Ethics Commission (commission) as provided by this subchapter.

Sec. 305.053. APPLICATION FOR REGISTRATION. Requires a person desiring to register under this subchapter to file an application for registration with the commission not later than the 30th day before the date the person intends to provide the results of a political survey to a member of the legislative branch. Requires the application to be written and verified and to include certain information. Requires the commission, not later than the 10th day after the date the commission accepts the application, to issue the person a registration certificate if certain requirements have been met.

Sec. 305.054. EXPIRATION; RENEWAL OF REGISTRATION. Provides that a registration under this subchapter expires on the fifth anniversary of the date the commission issues the registration certificate. Requires a person who holds an unexpired registration to file a renewal of registration if the information contained in the person's most recent registration is no longer accurate. Requires an application for renewal of registration to include the information prescribed by Section 305.053 for an original registration.

Sec. 305.005. FEE. Requires an application for registration or renewal of registration under this subchapter to be accompanied by a fee. Requires the commission to set a fee in an amount sufficient to pay the cost of administering this subchapter. Sets forth certain organizations that are

exempt from the requirements of this section.

Sec. 305.056. OFFENSE. Provides that a person commits an offense if the person knowingly provides the results of a political survey to a member of the legislative branch without complying with this subchapter. Provides that an offense under this section is a Class A misdemeanor. Provides that this subchapter does not affect the criminal responsibility of a person under the state laws relating to perjury. Provides that this section does not prohibit the commission from imposing a civil penalty for a violation.

Sec. 305.057. CIVIL PENALTY FOR FAILURE TO REGISTER. Requires a person who knowingly provides the results of a political survey to a member of the legislative branch without complying with this subchapter to pay a civil penalty in an amount determined, by rule, of the commission but not to exceed \$10,000.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Emergency clause.