

## BILL ANALYSIS

Senate Research Center  
78R9972 ESH-D

H.B. 1583  
By: Gallego (West, Royce)  
Jurisprudence  
5/21/2003  
Engrossed

### DIGEST AND PURPOSE

Under current law, an unopposed candidate for a judicial election may raise campaign contributions for a period beginning 210 days before the filing deadline and ending 120 days after the date of the primary election. Some believe that this allows unopposed judicial candidates to amass unneeded "war chests" and subjects such candidates to undue influence by their campaign contributors.

H.B. 1583 shortens the period during which an unopposed candidate may accept campaign contributions to 120 days after the filing deadline, rather than 120 days after the primary election. The bill also provides that unopposed judicial candidates can resume campaign fundraising if confronted with an independent or write-in challenger.

### 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 Section 253.153, Election Code, by amending Subsections (a) and (c) and adding Subsection (b-1), as follows:

(a) Prohibits a judicial candidate or officeholder, a specific-purpose committee for supporting or opposing a judicial candidate, or a specific-purpose committee for assisting a judicial officeholder from knowingly accepting a political contribution except during certain periods.

(b-1) Provides that for purposes of Subsection (a)(2), the determination of whether a judicial candidate will have an opponent in the general election is made on the day after the date an application for a place on the ballot or for nomination by convention for the office is required to be filed.

(c) Authorizes a judicial candidate to whom Subsection (a)(2)(B), (C), or (D) applies, rather than one who does not have an opponent whose name will appear on the ballot, notwithstanding Subsection (a)(2)(B), (C), or (D), or a specific-purpose committee for supporting such a candidate, to accept a political contribution within a specified time period.

SECTION 2. Makes application of Section 253.153, Election Code, as amended by this Act, prospective to September 1, 2003.

SECTION 3. Effective date: September 1, 2003.