

BILL ANALYSIS

Senate Research Center
81R4797 JRJ-F

H.B. 1265
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State Affairs
5/13/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill addresses a loophole in the law that allows political candidates to ignore the campaign treasurer designation requirement and campaign finance reporting requirements prior to the candidate filing deadline.

Before taking any action as a candidate, such as filing an application for a place on a ballot or filing an application for nomination by a political party convention, an individual seeking public office is required by law to designate a campaign treasurer. Designating a campaign treasurer triggers campaign finance reporting requirements. Political parties are required to submit lists of candidates to the secretary of state, who shares the information with the Texas Ethics Commission (TEC). Currently, there is no requirement that political parties must disclose when a candidate files an application, so TEC cannot determine when the campaign treasurer designation requirement or the campaign finance reporting requirements take effect. Thus, TEC cannot enforce these requirements until the date of the filing deadline. This bill requires a political party to also disclose to the secretary of state the date each candidate filed for office.

H.B. 1265 relates to the information about certain candidates required to be filed with the secretary of state.

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 172.029(a), Election Code, to require the state chair and each county chair, for each general primary election, to prepare a list containing certain information, including the date on which the candidate filed the application. Makes nonsubstantive changes.

SECTION 2. Amends Section 181.032(b), to require the authority with whom an application is filed, not later than the 10th day after the date of the filing deadline prescribed by Section 181.033 (Filing Deadline), to deliver to the secretary of state a list containing certain information, including the date on which the candidate filed the application. Makes nonsubstantive changes.

SECTION 3. Effective date: upon passage or September 1, 2009.