

## **BILL ANALYSIS**

Senate Research Center  
85R7051 MK-F

H.B. 2471  
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State Affairs  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Section 255.03, Election Code, prohibits an officer or employee of a political subdivision from knowingly spending or authorizing the spending of public funds for political advertising.

The Texas Ethics Commission in its 2016 report to the legislature recommended that the prohibition be extended to prohibit the use of public funds to make political expenditures on a ballot issue. H.B. 2471 codifies this recommendation.

H.B. 2471 amends the Election Code to prohibit an officer or employee of a political subdivision from spending or authorizing the spending of public funds to make a political contribution or a political expenditure and from directly or indirectly employing a person to use public funds to make such an unlawful contribution or expenditure.

H.B. 2471 amends current law relating to prohibiting political contributions and political expenditures made by certain persons with public funds and creates a criminal offense.

### **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 Subchapter A, Chapter 253, Election Code, by adding Section 253.007, as follows:

Sec. 253.007. UNLAWFUL USE OF PUBLIC FUNDS FOR CONTRIBUTIONS OR EXPENDITURES. (a) Prohibits an officer or employee of a political subdivision from spending or authorizing the spending of public funds to make a political contribution or expenditure.

(b) Prohibits an officer or employee of a political subdivision from directly or indirectly employing a person to use public funds to make an unlawful political contribution or expenditure.

(c) Provides that a person who violates Subsection (a) or (b) commits an offense and provides that an offense under this section is a Class A misdemeanor.

SECTION 2. Provides that Section 253.007, Election Code, as added by this Act, applies only to a political contribution or expenditure made on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2017.