

BILL ANALYSIS

Senate Research Center

H.B. 2283
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State Affairs
5/15/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The recent general election opened the door to discussion about the sources of funding for county-level elections. Traditionally, these elections are funded through taxpayer money. However, there has been a recent increase in donations made by private individuals and entities to organizations that provide resources and funds to county election offices in an effort to support the election process. Concerns have been raised that the private funding of elections exposes the potential for an unfair allocation of funds or resources to certain counties. Allowing private funds to contribute to elections could lead to abuse and, in turn, jeopardize the integrity of our electoral process. H.B. 2283 seeks to address this issue by prohibiting contributions greater than \$1,000 from private individuals and entities to county-level election offices.

H.B. 2283 amends current law relating to the prohibition of certain contributions and donations for the administration of elections.

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 E, Chapter 31, Election Code, by adding Section 31.126, as follows:

Sec. 31.126. PROHIBITED CONTRIBUTIONS. (a) Prohibits the joint elections commission, county election commission, and county election board from:

(1) accepting a contribution of \$1,000 or more, including the value of in-kind donations, offered by a private individual, by a business entity, including a corporation, partnership, or trust, or by another third party; or

(2) using a contribution described by Subdivision (1) to perform a function of administering elections.

(b) Authorizes the joint elections commission, county election commission, and county election board to accept a contribution of less than \$1,000 only with written consent from the relevant political subdivision.

(c) Provides that this section does not prohibit the acceptance of:

(1) an in-kind contribution of food or beverage for election workers during the administration of an election;

(2) any state or federal funds administered or distributed by the secretary of state, including funds administered and distributed under Section 31.009 (Distribution of Certain Funds), or other state or federal funds made available to political subdivisions to perform a function related to elections; or

(3) an offer for use, without charge or for a reduced fee, of a public or private building or a portion of a building for the purposes of conducting an election, including for use as a polling place designated under Chapter 43 (Polling Places).

SECTION 2. Amends Section 81.032, Local Government Code, as follows:

Sec. 81.032. ACCEPTANCE OF DONATIONS AND BEQUESTS. (a) Creates this subsection from existing text. Creates an exception under Subsection (b) to the authority of the commissioners court to accept certain donations for the purpose of performing certain functions and makes a nonsubstantive change.

(b) Prohibits the commissioners court from accepting a donation of \$1,000 or more for the purpose of administering elections, or from using or appropriating a donation described by Subsection (a) to perform a function of administering elections.

(c) Provides that this section does not prohibit the acceptance of:

(1) an in-kind contribution of food or beverage for election workers during the administration of an election; or

(2) any state or federal funds administered or distributed by the secretary of state, including funds administered and distributed under Section 31.009, Election Code, or other state or federal funds made available to political subdivisions to perform a function related to elections.

SECTION 3. Effective date: upon passage or September 1, 2021.