

## **BILL ANALYSIS**

H.B. 1863  
By: Uresti  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under the Texas Election Code, a local filing authority is responsible for receiving and handling all documentation related to a local election, including campaign treasurer appointments and contribution and expenditure reports. During the last legislative session, the Texas Ethics Commission (commission) was given the authority to terminate campaign treasurer appointments for inactive candidates and political committees who file their documentation with the commission. A similar provision for the local filing authorities does not exist. Because these local entities do not have the authority to terminate campaign treasurer appointments and because inactive candidates and committees often do not initiate termination themselves, local governments are burdened with maintaining records for several years. Currently, 60% of the filing maintained by the city clerk in San Antonio are inactive. House Bill 1863 would authorize local filing authorities to terminate campaign treasurer appointments for inactive local candidates and political committees.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Bill 1863 amends the Election Code to authorize the governing body of a political subdivision, by ordinance or order, to adopt a process by which the clerk or secretary, as applicable, may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the clerk or secretary. The bill provides that the clerk or secretary of the political subdivision must terminate the appointment in the same manner as the Texas Ethics Commission (commission) terminates campaign treasurer appointments for candidates or political committees who are required to file with the commission.

### **EFFECTIVE DATE**

Upon passage, or if the Act does not receive a vote of two-thirds of the members elected to each house, September 1, 2005.