

BILL ANALYSIS

H.B. 2783
By: Wong
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the 78th regular session, as part of the sunset review of the Texas Ethics Commission (commission), the legislature enacted a process for the commission to consider sworn complaints of campaign finance or ethics violations filed with the commission. Under current law, respondents to complaints of Category One violations are given 10 days to respond to the sworn complaint, after receiving notice. Even though the commission categorizes these complaints as simply and straight-forward, many individuals have complained that this is not enough time to gather information for a response, especially for those who are seeking the counsel of an attorney or who are unfamiliar with filing requirements. House Bill 2783 lengthens the amount of time that a respondent is allowed to respond to notice of a Category One complaint and to reach an agreement with the commission.

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 2783 amends the Government Code by providing that a respondent must respond to a notice sent by the Texas Ethics Commission (commission) regarding a sworn complaint of a Category One violation not later than the 25th, rather than the 10th, business day after receiving the notice. The bill provides, if the matter is not resolved by agreement between the commission and the respondent before the 45th, rather than the 30th, business day after the respondent receives notice of the sworn complaint, that the commission is required to set the matter for a preliminary review hearing.

EFFECTIVE DATE

September 1, 2005.