

## **BILL ANALYSIS**

H.B. 2826  
By: Truitt  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Frivolous ethics allegations are frequently made at the beginning of political campaigns in order to create the "air" of corruption during the campaign. The Texas Ethics Commission (commission) is authorized to consider if an allegation is frivolous while the allegedly frivolous allegation is still pending. However, current law does not authorize the commission to accept jurisdiction over a new complaint that alleges a previously dismissed complaint was frivolous. House Bill 2826 will allow the commission to accept such allegations and investigate whether previously dismissed complaints were frivolous.

### **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 2826 amends the Government Code to authorize a person to file a sworn complaint with the Texas Ethics Commission (commission), alleging that a another complaint filed with the commission is frivolous or brought in bad faith. The bill authorizes such a complaint to be filed without regard to whether the alleged frivolous or bad faith complaint is pending before the commission or has been resolved. The bill requires the commission to act on such complaints as it would on any other sworn complaint, as provided for in current statute.

### **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.