

## **BILL ANALYSIS**

H.B. 3315  
By: Brown, Betty  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, subject to the availability of funds, the state pays certain party expenses relating to a primary election, and the Secretary of State has discretion over which expenses are paid with these state funds. In November 2003, the Secretary of State adopted a rule relating to the reimbursement of expenses for leasing office space. This rule states that leases for office space are reimbursed if the space is only leased for a few months near to the primary election day. The rule goes on to state that the cost of a lease will not be reimbursed as a primary expense if the party maintains the leased space for a longer period of time. In the 2004 primary, some parties who leased office space year-round or for a 6-month period were unaware of the new rule and did not receive reimbursement, which they had been expecting. House Bill 3315 provides that the decision to reimburse a party for a lease used for the primary is not based on whether the party regularly maintains office space or only leases the space for the election.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Secretary of State in SECTION 1 (Sec. 173.012, Election Code) of this bill.

### **ANALYSIS**

House Bill 3315 amends the Election Code by requiring the Secretary of State, subject to the availability of state funds, to provide for the reimbursement of office space expenses incurred with respect to the administration of a primary election. The bill provides that rules adopted must provide for reimbursement regardless of whether the political party maintains regular office space or leases such space only in connection with the primary election.

### **EFFECTIVE DATE**

September 1, 2005.