

BILL ANALYSIS

H.B. 1265
By: Hochberg
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Before taking an action as a candidate, such as filing an application for a place on a ballot or filing an application for nomination by a political party convention, an individual seeking public office is required by law to designate a campaign treasurer. Designating a campaign treasurer triggers campaign finance reporting requirements. However, there is a loophole in the law.

Currently, political parties are required to submit lists of candidates to the secretary of state, who shares this information with the Texas Ethics Commission upon request. Since the parties are not required to include dates of filing on their lists, the commission never receives information stating when a candidate has filed an application to run. The commission cannot assume that the candidate filed any amount of time prior to the filing deadline and is unable to enforce the campaign treasurer designation requirement, and the resulting campaign finance reporting requirement, for any period prior to the filing deadline.

H.B. 1265 requires a political party to include the date of filing on the candidates list it submits to the secretary of state.

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

H.B. 1265 amends the Election Code to add the date on which a candidate filed with the secretary of state an application for a place on the ballot for a general primary election to the list a political party's state chair and each county chair is required to prepare for each such election. The bill adds the date on which a candidate filed with the secretary of state an application for nomination by a state party convention to the list the authority with whom the application for candidacy is filed must deliver to the secretary of state.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.