

BILL ANALYSIS

Senate Research Center

S.B. 2242
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Establishing a statewide electronic filing initiative would contribute to efficient and uniform disclosure. It would allow local governing bodies with whom candidates are required to file campaign finance reports to utilize the Texas Ethics Commission (TEC) software for the purposes of increasing transparency in local elections on a voluntary basis. Because it would make campaign finance more transparent, it should function to strengthen public confidence in government.

As proposed, S.B. 2242 establishes a statewide filing initiative through which entities that are considered local governing authorities under Title 15 (Regulating Political Funds and Campaigns), Election Code, such as county clerks and school boards, could receive and store campaign finance reports. The bill authorizes local governing authorities to utilize TEC hardware and propriety software on a voluntary basis. The bill also requires TEC's website to serve as a public access portal to all campaign finance reports that are voluntarily reported through the TEC system.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 571, Government Code, by adding Subchapter G, as follows:

SUBCHAPTER G. REPORTING RELATED TO LOCAL GOVERNMENTAL ENTITIES AND OFFICERS

Sec. 571.201. **PURPOSE.** Provides that the purpose of this subchapter is to further the objective of fully disclosing information related to political contributions and political expenditures made in connection with offices of local governmental entities by allowing a local governmental entity or a candidate for or holder of an office of a local governmental entity to use the Texas Ethics Commission's (TEC) software and other TEC resources to file disclosure reports of contributions and expenditures required by Title 15 (Regulating Political Funds and Campaigns), Election Code.

Sec. 571.202. **DEFINITIONS.** Defines "local governmental entity" and "local government officer," "political contribution," "political expenditure," and "specific-purpose committee."

Sec. 571.203. **USE OF COMMISSION SOFTWARE AND RESOURCES.** (a) Authorizes TEC, to fulfill the purpose of this subchapter and to facilitate filing of disclosure statements regarding political contributions and expenditures and reports required by Title 15, Election Code, to allow the use of TEC software and resources by a local governmental entity; a local government officer; a candidate for an office of a local governmental entity; or a specific-purpose committee for supporting or opposing a candidate for an office of a local governmental entity, assisting a local government officer, or supporting or opposing a measure proposed by a local governmental entity.

(b) Authorizes TEC to provide assistance to a local governmental entity, a local government officer, a candidate for an office of a local governmental entity, or a specific-purpose committee by developing software to facilitate electronic filing of disclosure statements and reports; accepting disclosure statements and reports for electronic filing; and providing public access through the Internet to electronic disclosure statements and reports filed with TEC by a local governmental entity, a local government officer, a candidate for an office of a local governmental entity, or a specific-purpose committee for supporting or opposing a candidate for an office of a local governmental entity, assisting a local government officer, or supporting or opposing a measure proposed by a local governmental entity.

(c) Authorizes TEC to enter into an intergovernmental contract with a local governmental entity to provide the assistance described by Subsection (b).

Sec. 571.204. **APPLICABILITY OF CHAPTER TO CERTAIN ENTITIES AND PERSONS.** Provides that unless expressly provided by this subchapter, the provisions of Subchapters A-F (relating to certain provisions, powers, and duties of TEC) do not apply to the filing of a disclosure statement or report under this subchapter.

SECTION 2. Effective date: September 1, 2009.