

## **BILL ANALYSIS**

C.S.H.B. 1094  
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Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, counties with a population of 800,000 or more and municipalities with a population of 500,000 or more are required to make available online the reports of political contributions and expenditures filed by a member of the commissioners court or the governing body of the municipality, respectively. C.S.H.B. 1094 seeks to expand on the government transparency provided in current law by establishing provisions relating to the availability on the Internet of reports of political expenditures and contributions filed in connection with certain county and municipal offices.

### **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**

C.S.H.B. 1094 amends the Election Code to require the county clerk of a county with a population of 800,000 or more to make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under general political reporting provisions of the code in connection with a county office or the office of county commissioner available to the public on the county's Internet website not later than the second business day after the date the report is filed. The bill requires the clerk of a municipality with a population of 500,000 or more to make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under general political reporting provisions of the code in connection with the office of mayor or member of the municipality's governing body available to the public on the municipality's Internet website not later than the second business day after the date the report is filed.

C.S.H.B. 1094 repeals a provision of the Local Government Code, effective January 1, 2012, requiring a county with a population of 800,000 or more or a municipality with a population of 500,000 or more to provide, on the Internet website maintained by the county or municipality, access to each report of political contributions and expenditures filed under Election Code political reporting provisions by a member of the commissioners court of the county or the governing body of the municipality in relation to that office as soon as practicable after the officer files the report.

C.S.H.B. 1094 repeals a provision of the Election Code requiring the Texas Ethics Commission to make a report filed with the commission by electronic transfer for a reporting deadline by any candidate for a particular office or by a specific-purpose committee for supporting or opposing only one candidate for a particular office available to the public on the Internet if certain candidates and specific-purpose committees have filed a report for that reporting deadline and, regardless of whether such entities have filed a report for a filing deadline, to make each report in connection with a particular office available on the Internet and by any other electronic means.

C.S.H.B. 1094 makes its provisions applicable only to a report of political contributions and

expenditures that is required to be filed under political reporting provisions of law on or after January 1, 2012. The bill makes conforming changes.

C.S.H.B. 1094 repeals the following provisions:

- Section 254.0401(b), Election Code
- Section 176.009(b), Local Government Code, effective January 1, 2012

### **EFFECTIVE DATE**

Except as otherwise provided, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1094 differs from the original by requiring the county clerk of a county with a population of 800,000 or more to make certain reports filed with the clerk in connection with a county office or the office of county commissioner available to the public on the county's Internet website by a specified date, whereas the original requires each county clerk to make such reports available in such a manner. The substitute differs from the original by specifying such reports as those filed by a candidate, officeholder, or specific-purpose committee, whereas the original does not make that specification.

C.S.H.B. 1094 differs from the original by specifying that the reports filed with the clerk of a municipality with a population of 500,000 or more in connection with the office of mayor or member of the municipality's governing body that the clerk is required to make available to the public on the municipality's Internet website by a specified date are those reports filed by a candidate, officeholder, or specific-purpose committee, whereas the original does not make that specification.