

BILL ANALYSIS

C.S.H.B. 1350
By: Larson
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Elected officials currently may appear in public service announcements funded through tax revenue to provide information to citizens regarding services offered by various state agencies. These elected officials may appear in such announcements at any time, including the time leading up to an election in which such an official is a candidate. Interested parties contend that a public service announcement may be used as a method of political advertising and that the appearance of such an official in public service announcements in the weeks leading up to an election should be limited. C.S.H.B. 1350 seeks to address these concerns by limiting the use of public funds for broadcasting certain public service announcements.

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. 1350 amends the Government Code to create an exception to the authority of the executive head of a state agency to issue certain necessary or public interest information in oral or written form by prohibiting a state agency of which the executive head is an elected officer from using appropriated money for an advertisement, notice, or announcement featuring the officer disseminated or displayed within the 60-day period preceding the date of any election in which the officer appears on the ballot as a candidate.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1350 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 2113.011(c), Government Code, is amended.	SECTION 1. Same as introduced version.
SECTION 2. Subchapter B, Chapter 2113, Government Code, is amended by adding Section 2113.015 to read as	SECTION 2. Subchapter B, Chapter 2113, Government Code, is amended by adding Section 2113.015 to read as follows:

follows:

Sec. 2113.015. **BROADCAST**
FEATURING OFFICER.

A state agency of which the executive head is an elected officer may not use appropriated money to broadcast an advertisement, notice, or announcement featuring the officer within the 60-day period preceding the date of any election in which the officer appears on the ballot as a candidate.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Sec. 2113.015. **ADVERTISEMENT,**
NOTICE, OR ANNOUNCEMENT

FEATURING OFFICER. A state agency of which the executive head is an elected officer may not use appropriated money for an advertisement, notice, or announcement featuring the officer disseminated or displayed within the 60-day period preceding the date of any election in which the officer appears on the ballot as a candidate.

SECTION 3. Same as introduced version.