

## BILL ANALYSIS

C.S.H.B. 2211  
By: Naishtat  
Elections  
Committee Report (Substituted)

### BACKGROUND AND PURPOSE

Candidates for judicial office collect and report campaign finance information, and the Texas Ethics Commission maintains these disclosures for certain judges on its Internet website. Interested parties note that while certain other finance reports are maintained by each county, most of these reports are available to the public only through requests to the county clerk. The parties assert that this is a slow and inefficient way to provide access to the information and that it places an unnecessary burden on the county clerk. The parties suggest, in the interest of promoting government transparency and creating uniformity among the procedures governing the disclosure of certain reportable information, that all such reports filed in connection with certain county judicial offices be made available online in counties that already maintain an Internet website. C.S.H.B. 2211 seeks to address this issue.

### 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. 2211 amends the Election Code to require a report filed under statutory provisions relating to political reporting that is filed with a county clerk by a justice of the peace, a candidate for the office of justice of the peace, a judge of a county court at law, or a candidate for the office of judge of a county court at law to be made available to the public on the county's Internet website if the county maintains an Internet website. The bill requires the county to make the report available for free and prohibits the county from requiring a person to register with the county to view the report. The bill's provisions apply to a required report that is due on or after January 1, 2014.

### EFFECTIVE DATE

September 1, 2013.

### COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2211 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

SECTION 1. Subchapter B, Chapter 254, Election Code, is amended by adding Section 254.04012 to read as follows:

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 254, Election Code, is amended by adding Section 254.04012 to read as follows:

83R 26311

13.121.17

Substitute Document Number: 83R 23805

Sec. 254.04012. AVAILABILITY OF REPORTS OF JUSTICES OF THE PEACE AND COUNTY JUDGES ON INTERNET.

(a) A report filed under this chapter with a county clerk by a justice of the peace, a candidate for the office of justice of the peace, a county judge, or a candidate for the office of county judge must be made available to the public on the county's Internet website if the county maintains an Internet website.

(b) If a county is required to make a report available on the county's Internet website under Subsection (a), the county shall make the report available for free and may not require a person to register with the county to view the report.

SECTION 2. Subchapter A, Chapter 159, Local Government Code, is amended by adding Section 159.0061 to read as follows:

Sec. 159.0061. AVAILABILITY OF STATEMENTS OF JUSTICES OF THE PEACE AND COUNTY JUDGES ON INTERNET. (a) If a county maintains an Internet website, the county shall make available to the public on the county's Internet website each financial statement filed under this subchapter with the county clerk by a justice of the peace, a candidate for the office of justice of the peace, a county judge, or a candidate for the office of county judge.

(b) If a county is required to make a report available on the county's Internet website under Subsection (a), the county shall make the report available for free and may not require a person to register with the county to view the report.

SECTION 3. Subchapter B, Chapter 159, Local Government Code, is amended by adding Section 159.0342 to read as follows:

Sec. 159.0342. AVAILABILITY OF STATEMENTS OF JUSTICES OF THE PEACE ON INTERNET. (a) If a county maintains an Internet website, the county shall make available to the public on the county's Internet website any financial statement filed under this subchapter with the county clerk by a justice of the peace or a candidate for the office of justice of the peace.

(b) If a county is required to make a report

Sec. 254.04012. AVAILABILITY OF REPORTS OF JUSTICES OF THE PEACE AND CERTAIN COUNTY JUDGES ON INTERNET.

(a) A report filed under this chapter with a county clerk by a justice of the peace, a candidate for the office of justice of the peace, a judge of a county court at law, or a candidate for the office of judge of a county court at law must be made available to the public on the county's Internet website if the county maintains an Internet website.

(b) If a county is required to make a report available on the county's Internet website under Subsection (a), the county shall make the report available for free and may not require a person to register with the county to view the report.

**No equivalent provision.**

**No equivalent provision.**

available on the county's Internet website under Subsection (a), the county shall make the report available for free and may not require a person to register with the county to view the report.

SECTION 4. (a) Section 254.04012, Election Code, as added by this Act, applies only to a report required to be filed under Chapter 254, Election Code, that is due on or after January 1, 2014.

(b) The changes in law made by this Act to Chapter 159, Local Government Code, apply only to a financial statement or report required to be filed under that chapter that is due on or after January 1, 2014.

SECTION 5. This Act takes effect September 1, 2013.

SECTION 2. Section 254.04012, Election Code, as added by this Act, applies only to a report required to be filed under Chapter 254, Election Code, that is due on or after January 1, 2014.

SECTION 3. Same as introduced version.