

BILL ANALYSIS

C.S.S.B. 1773
By: Huffman
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Sunset Advisory Commission, among other functions, identifies waste, duplication, and inefficiency in government agencies and recommends methods to eliminate such practices. Throughout the Sunset Advisory Commission's review of the Texas Ethics Commission, interested parties testified that the ethics commission would be more effective if the legislature made changes to numerous policies in ethics law. However, many of those policy recommendations did not fall within the scope of the Sunset Advisory Commission's mission and thus were not reviewed by the commission. C.S.S.B. 1773 seeks to address such matters by creating a select interim committee to study the effectiveness of laws and regulations related to ethics, including campaign finance, lobby laws, and personal financial disclosure laws, and to make recommendations for substantive changes to these laws.

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.S.B. 1773 adds a temporary provision, set to expire December 21, 2014, to create a select interim committee to study and review the statutes and regulations related to ethics, including campaign finance laws, lobby laws, and personal financial disclosure laws. The bill requires the study to consider the purposes of the current laws and whether the laws accomplish those purposes, the effectiveness of the current laws, and what changes, if any, should be made to more effectively accomplish the purposes of the laws.

C.S.S.B. 1773 sets out the composition of the nine-member committee as follows: four members appointed by the lieutenant governor, including three senators and one member of the public; four members appointed by the speaker of the house of representatives, including three state representatives and one member of the public; and the presiding officer of the Texas Ethics Commission. The bill requires the lieutenant governor and speaker each to designate one of their respective legislative appointees to serve as co-chairs. The bill requires the committee members to be appointed not later than the 60th day after the bill's effective date and requires the committee to convene at the call of the co-chairs.

C.S.S.B. 1773 grants the committee all other powers and duties provided to a special or select committee by the rules of the senate and the house of representatives, by the Legislative Reorganization Act of 1961, and by policies of the senate and house committees on administration. The bill requires the committee, not later than December 20, 2014, to report the committee's findings and recommendations to the lieutenant governor, speaker of the house of representatives, and governor and to include in its recommendations specific statutory and rule changes that appear necessary from the results of the committee's study. The bill requires the Texas Legislative Council and the Texas Ethics Commission to provide any necessary staff and resources to the committee.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.S.B. 1773 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. INTERIM STUDY REGARDING ETHICS LAWS. (a) A select interim committee is created to study and review the statutes and regulations related to ethics, including campaign finance laws, lobby laws, and personal financial disclosure laws.

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- (b) The study must consider:
 - (1) the purposes of the current laws and whether the laws accomplish those purposes;
 - (2) the effectiveness of the current laws; and
 - (3) what changes, if any, should be made to more effectively accomplish the purposes of the laws.

- (b) The study must consider:
 - (1) the purposes of the current laws and whether the laws accomplish those purposes;
 - (2) the effectiveness of the current laws; and
 - (3) what changes, if any, should be made to more effectively accomplish the purposes of the laws.

- (c) The committee is composed of:
 - (1) four members appointed by the lieutenant governor as follows:
 - (A) three senators; and

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 - (1) four members appointed by the lieutenant governor as follows:
 - (A) three senators, one of whom the lieutenant governor shall designate as co-chair of the committee; and

- (B) one member of the public;
- (2) four members appointed by the speaker of the house of representatives as follows:
 - (A) three state representatives; and

- (B) one member of the public;
- (2) four members appointed by the speaker of the house of representatives as follows:
 - (A) three state representatives, one of whom the speaker shall designate as co-chair of the committee; and

- (B) one member of the public; and
- (3) the presiding officer of the Texas Ethics Commission on the effective date of this Act.

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- (3) the presiding officer of the Texas Ethics Commission on the effective date of this Act.

(d) The members of the committee shall elect a presiding officer from among its members.

(d) The committee shall convene at the call of the co-chairs.

(e) The committee shall convene at the call of the presiding officer.

(e) The committee has all other powers and duties provided to a special or select committee by the rules of the senate and the house of representatives, by Subchapter B, Chapter 301, Government Code, and by policies of the senate and house committees

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on administration.

(g) Not later than December 20, 2014, the committee shall report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The committee shall include in its recommendations specific statutory and rule changes that appear necessary from the results of the committee's study under Subsection (a) of this section.

(h) Not later than the 60th day after the effective date of this Act, the lieutenant governor and the speaker of the house of representatives shall appoint the members of the committee created under this section.

(i) The Texas Legislative Council and the Texas Ethics Commission shall provide any necessary staff and resources to the committee created under this section.

SECTION 2. ABOLITION OF COMMITTEE. The committee is abolished and this Act expires December 21, 2014.

SECTION 3. EFFECTIVE DATE. This Act takes effect September 1, 2013.

on administration.

(f) Not later than December 20, 2014, the committee shall report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The committee shall include in its recommendations specific statutory and rule changes that appear necessary from the results of the committee's study under Subsection (a) of this section.

(g) Not later than the 60th day after the effective date of this Act, the lieutenant governor and the speaker of the house of representatives shall appoint the members of the committee created under this section.

(h) The Texas Legislative Council and the Texas Ethics Commission shall provide any necessary staff and resources to the committee created under this section.

SECTION 2. Same as engrossed version.

SECTION 3. Same as engrossed version.