

BILL ANALYSIS

Senate Research Center

S.J.R. 58
By: Campbell
State Affairs
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The State of Texas requires all candidates who are running for public office to annually file required disclosure forms to the Texas Ethics Commission (TEC). TEC has the authority to levy fines on delinquent filers, but does not have the necessary statutory backing to enforce payments of these fines. According to TEC, the absence of a strong enforcement statute has left room for certain candidates to remain unaccountable to Texans and to our state's campaign finance laws.

S.J.R. 58 strengthens Texas campaign finance laws by prohibiting a person from being placed on a ballot as a candidate for public office if the person has an outstanding financial obligation to TEC.

S.J.R. 58 proposes a constitutional amendment to prohibit a person from being placed on a ballot as a candidate for public office if the person has an outstanding financial obligation payable to the Texas Ethics Commission.

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 Article XVI, Texas Constitution, by adding Section 2-a, as follows:

Sec. 2-a. Provides that, notwithstanding any other provision of this constitution, a person is ineligible to be placed on a ballot as a candidate for public office if on the date the person files to be placed on the ballot the person has an outstanding financial obligation payable to the Texas Ethics Commission (TEC).

SECTION 2. Provides that the following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 87th Legislature, Regular Session, 2021, to prohibit a person from being placed on a ballot as a candidate for public office if the person has an outstanding financial obligation payable to TEC.

(b) Provides that Section 2-a, Article XVI, of this constitution takes effect January 1, 2022, and applies only to an election the filing period for which begins on or after that date.

(c) Provides that this temporary provision expires January 1, 2023.

SECTION 3. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 2, 2021. Sets forth the required language of the ballot.