

BILL ANALYSIS

C.S.H.B. 3575
By: Noble
Ways & Means
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The 88th Legislature, in its 2nd Called Session, passed S.B. 2, which, among other things, provided for both the appointment and the election of members of the board of directors of tax appraisal districts in counties with populations of 75,000 or more. The bill author has informed the committee that a candidate for an elected position on such a board currently must file their ballot application with the county judge. However, a March 20, 2024, ethics advisory opinion from the Texas Ethics Commission opines that "a candidate for an appraisal district's board of directors must file campaign treasurer appointments...with the clerk or secretary of the appraisal district" and sets out the reasoning for this opinion. C.S.H.B. 3575 seeks to ensure a consistent process for the board candidates' filings of campaign treasurer appointments and for an application for a place on the ballot and to ensure that those board candidates and the candidates for a county office, precinct office, and district office other than a district office filled by voters of more than one county all file with either the county clerk or a county elections administrator, if the applicable county has that position.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 3575 amends the Election Code to revise the requirement for a candidate for county office, a precinct office, or a district office other than a district office filled by voters of more than one county to file a campaign treasurer appointment for the individual's own candidacy with the county clerk as follows:

- requires those candidates in counties having the position of county elections administrator to file their campaign treasurer appointments with the administrator instead of the county clerk; and
- requires a candidate for an elected position on the board of directors of an appraisal district to file either with the county clerk or the county elections administrator, if the applicable county has that position.

These provision apply only to a campaign treasurer appointment required to be filed on or after the bill's effective date. A campaign treasurer appointment required to be filed before the bill's effective date is governed by the law in effect on the date the appointment was filed, and the former law is continued in effect for that purpose.

C.S.H.B. 3575 amends the Tax Code to change the person with whom an application for a place on the ballot for an elected position on the board of directors of an appraisal district must be filed from the county judge of the county in which the appraisal district is established to the county clerk of such a county, or, for counties having the position, the applicable county elections administrator. This provision applies only to an application for a place on the ballot for a position on the board of directors of an appraisal district required to be filed on or after the bill's effective date. An application required to be filed before the bill's effective date is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3575 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While the substitute and the introduced both include a candidate for an elected position on a board of directors of an appraisal district to file the campaign treasurer appointment with the county clerk, the substitute requires the filing to be with the county elections administrator if the county has the position, but the introduced did not include that requirement. The substitute includes a provision absent from the introduced that requires the candidates that must currently file a campaign treasurer appointment for the individual's own candidacy with the county clerk to instead file their campaign treasurer appointments with the county elections administrator if the county has such a position.

While both the substitute and the introduced changed from the county judge, as required in current law, to the county clerk the official with whom a candidate for an elected position on a board of directors of an appraisal district must file their application for a place on the ballot, the substitute requires such a candidate to file the application instead with the county elections administrator if the county has that position, but the introduced did not include that requirement.

The substitute changes the bill's effective date to provide for its possible immediate effect, contingent on receiving the requisite constitutional vote, whereas the introduced provided only for the bill to take effect September 1, 2025, with no possibility for immediate effect.