

## **RESOLUTION ANALYSIS**

C.S.H.J.R. 201  
By: Zwiener  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The resolution author has informed the committee that a former state representative filed a delinquent campaign finance report over 56 days past the due date, incurring a fine from the Texas Ethics Commission (TEC). According to a *Texas Tribune* article from 2024, 327 individuals required to file reports with the TEC owed \$1.3 million in fines in 2019. That article also indicated that the top 25 delinquent filers owed an average of \$29,029 and that, at the time of the article's publication, only seven percent of the cases referred to the Office of the Attorney General (OAG) since 2015 subsequently had lawsuits filed against the delinquent filers to recover the fees.

Further, according to the TEC's 2023 self-evaluation report, the TEC referred \$1,478,500 in unpaid penalties to the OAG between fiscal year 2018 and 2022, and that money would go to the general revenue fund if collected. The TEC proposed in that report that the legislature consider adding non-monetary penalties for failure to pay a TEC fine or equip the TEC with the resources and authority to collect its own penalties. C.S.H.J.R. 201 proposes an amendment to the Texas Constitution to require full payment of civil penalties imposed by the TEC to be eligible to hold certain public elective offices.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this resolution 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 resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.J.R. 201 proposes an amendment to the Texas Constitution to expand the eligibility requirements to hold the office of senator, representative, governor, chief justice or justice of the Texas Supreme Court, or district judge to include the person having paid in full any civil penalty imposed by the Texas Ethics Commission for which the person is liable before the following date:

- for a candidate for an office, the first day of the regular filing period for a candidate's application for a place on the ballot; or
- for an appointee to an office, the date of appointment.

The resolution establishes that the eligibility requirements must be met to be eligible to be elected or, if applicable, appointed to the specified offices or to be eligible to be a candidate for the specified offices. The resolution establishes that the eligibility requirements must be met to be eligible for appointment or election as a district judge but does not expressly require those requirements to be met to be a candidate for that office.

**ELECTION DATE**

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 4, 2025.

**COMPARISON OF INTRODUCED AND SUBSTITUTE**

C.S.H.J.R. 201 differs from the introduced in minor or nonsubstantive ways by conforming to certain resolution drafting conventions.