

BILL ANALYSIS

S.B. 987
By: Bettencourt
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

As reported in the *Texas Tribune*, in 2018, Robbie Gail Charette, a candidate for county court at law judge in Washington County, was indicted on four misdemeanor campaign law violations after a complaint was filed with the Washington County District Attorney's Office. Charette's attorney filed a motion to dismiss the charges, arguing that the Texas Ethics Commission (TEC) had oversight of all campaign law violations, and six years later, the Texas Court of Criminal Appeals agreed, writing in its ruling that the TEC had sole jurisdiction to make an initial determination about the alleged wrongdoing, which it had not done. S.B. 987 addresses this matter by establishing that the exhaustion of civil, including administrative, remedies with the TEC is not required before a trial court with subject matter jurisdiction over a criminal action can take up an applicable case.

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

S.B. 987 amends the Government Code to establish that statutory provisions relating to the authority of the Texas Ethics Commission (TEC) to initiate civil enforcement actions and the authority of the TEC or its executive director to refer matters to the appropriate prosecuting attorney for criminal prosecution do not require the exhaustion of civil, including administrative, remedies as a prerequisite to the vesting in a trial court of subject matter jurisdiction over a criminal action for which the trial court would otherwise have jurisdiction under other law. The bill applies to a criminal action commenced before, on, or after the bill's effective date.

EFFECTIVE DATE

September 1, 2025.