

BILL ANALYSIS

Senate Research Center
89R4340 CJD-D

S.B. 987
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In June 2018, a Washington County Grand Jury indicted Robbie Gail Charette on four misdemeanor campaign law violations after a complaint was filed with the Washington County District Attorney's Office. Charette's attorney, Lewis Thomas of Houston, filed a motion to dismiss the charges, arguing that the Texas Ethics Commission has oversight of all campaign law violations. Six years later, the Texas Court of Criminal Appeals agreed with Thomas, writing in their ruling that the Texas Ethics Commission had sole jurisdiction to make an initial determination about the alleged wrongdoing, which it had not done.

S.B. 987 simply states that it is not a requirement under Section 571.171 for the exhaustion of civil, including administrative remedies with the Ethics Commission before a trial court with subject matter jurisdiction over a criminal action takes up the case.

As proposed, S.B. 987 amends current law relating to the subject matter jurisdiction of the criminal trial courts of this state over certain criminal actions.

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 Section 571.171, Government Code, by adding Subsection (d) to provide that Section 571.171 (Initiation and Referral) does 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.

SECTION 2. Provides that this Act applies to a criminal action commenced before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2025.