

- SUBJECT:** Restricting political contributions by gubernatorial appointees
- COMMITTEE:** General Investigating and Ethics — committee substitute recommended
- VOTE:** 6 ayes — S. Davis, Moody, Capriglione, Nevárez, Shine, Turner
0 nays
1 absent — Price
- WITNESSES:** For — (*Registered, but did not testify:* Joanne Richards, Common Ground for Texans; Cyrus Reed, Lone Star Chapter Sierra Club; Carol Birch, Public Citizen Texas; Craig McDonald, Texans for Public Justice; Terri Hall, Texas TURF, Texans for Toll-free Highways; Lon Burnam; Don Dixon; Hamilton Richards;)
Against — None
- DIGEST:** CSHB 3305 would add language to Government Code, ch. 601 to make certain campaign donors ineligible for gubernatorial appointment and limit the amount of contributions an individual could make after being appointed to office.
- An individual would be ineligible to serve as an officer appointed by the governor if during the year preceding the date of appointment he or she had made political contributions that in the aggregate exceeded \$2,500 to the governor or a specific-purpose committee supporting the governor as a candidate or assisting the governor as an officeholder.
- An individual serving as an officer appointed by the governor could not during any single year after appointment make political contributions that in the aggregate exceeded \$2,500 to the governor for a specific-purpose committee supporting the governor as a candidate or assisting the governor as an officeholder. An appointee who violated the contribution limit would be liable to pay damages to Texas in triple the amount that exceeded the limit.

A political contribution made by the spouse or dependent child of an individual would be considered to be a contribution made by the individual. A political contribution from an organization made in the individual's name and with the individual's consent would be considered to be a contribution made by the individual.

Before taking office, an individual appointed by the governor would be required to sign an attestation that during the year preceding the appointment the person, his or her spouse or dependent child, or an organization acting in the appointee's name and with the appointee's consent had not made a contribution exceeding \$2,500 to the governor or a specific-purpose committee supporting the governor as a candidate or assisting the governor as an officeholder.

The bill would take effect September 1, 2017.

**SUPPORTERS
SAY:**

CSHB 3305 would put a stop to pay-to-play politics by prohibiting large donors to the governor from being nominated for appointments. The practice of governors appointing favored donors to serve on state boards and commissions has been a problem in Texas politics for many years. In making official appointments, elected officials like the governor should serve the interests of all the public, not just wealthy donors.

Individuals could still exercise their free speech rights and remain eligible for an appointment by making annual donations of up to \$2,500.

**OPPONENTS
SAY:**

CSHB 3305 would violate the free speech rights of individuals to support a gubernatorial candidate by making them ineligible for appointment to a state office by the governor if their donations exceeded \$2,500 in a year.