

BILL ANALYSIS

Senate Research Center
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H.B. 3315
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State Affairs
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, subject to the availability of funds, the state pays certain political party expenses relating to a primary election, and the secretary of state has discretion over which expenses are paid with state funds. In November 2003, the secretary of state adopted a rule relating to the reimbursement of expenses for leasing office space. This rule states that leases for office space are reimbursed if the space is only leased for a few months near to the primary election day. The rule goes on to state that the cost of a lease will not be reimbursed as a primary expense if the party maintains the leased space for a longer period of time. In the 2004 primary, some parties who leased office space year-round or for a six-month period were unaware of the new rule and did not receive reimbursement, which they had been expecting. H.B. 3315 provides that the decision to reimburse a party for a lease used for the primary is not based on whether the party regularly maintains office space or only leases the space for the election.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the secretary of state is modified in SECTION 1 (Section 173.012, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 173, Election Code, by adding Section 173.012, as follows:

Sec. 173.012. STATE COMPENSATION FOR OFFICE SPACE. (a) Requires the secretary of state, subject to the availability of state funds, to provide for the reimbursement of office space expenses incurred with respect to the administration of a primary election.

(b) Requires rules adopted under this section to provide for reimbursement of office space expenses in connection with the primary election to a political party regardless of whether the political party maintains regular office space or leases office space only in connection with the primary election.

SECTION 2. Effective date: September 1, 2005.