

BILL ANALYSIS

Senate Research Center
84R26002 EES-F

C.S.H.B. 3680
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State Affairs
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The software that the Texas Ethics Commission (TEC) currently provides to appointed and elected officials, candidates, political committees, legislative caucuses, and lobbyists for electronic filings requires the user to install the program on the user's computer and fill out the report from that computer. TEC is transitioning to a new web-based filing application that would allow users to save electronic data online for later retrieval and editing before sending the finalized report to TEC. This new filing application will allow filers to prepare their reports online from any computer.

Some filers may be apprehensive about using this new application to prepare their reports because of confidentiality concerns. Filers using the online application to prepare a report may fear that information uploaded during the preparation process could be disclosed publicly, resulting in the potential misuse or misinterpretation of that preliminary information.

H.B. 3680 clarifies that information uploaded to TEC's electronic software during the preparation of a campaign financial report or a personal financial statement is confidential and not subject to the Public Information Act until finally submitted. Once the finalized campaign financial report or personal financial statement is submitted, it would become a public document, just like any filed report or statement is today. This bill also applies to persons using TEC's software to file a campaign financial report or personal financial statement with local filing authorities.

This bill is intended to increase filers' trust and usage of TEC's new electronic software, increasing the statewide filing system's efficiency.

C.S.H.B. 3680 amends current law relating to the confidentiality of certain information stored as part of the preparation reports and personal financial statements required to be filed with the Texas Ethics Commission.

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 571.0671, Government Code, by adding Subsection (d), as follows:

(d) Provides that electronic report or financial statement data saved in a Texas Ethics Commission (TEC) temporary storage location for later retrieval and editing before the report or financial statement is filed is confidential and may not be disclosed. Provides that, after the report or financial statement is filed with TEC, the information disclosed in the filed report or financial statement is public information to the extent provided by the law requiring the filing of the report or financial statement.

SECTION 2. Effective date: September 1, 2015.