

BILL ANALYSIS

Senate Research Center

H.B. 3903
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State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Judicial Campaign Fairness Act was enacted in 1995. This Act places restrictions on how a judicial candidate or judicial officeholder may use campaign funds, specifically with regard to making political contributions to other candidates, officeholders, political parties, or political organizations.

H.B. 3903 removes the restrictions that prohibit judges and judicial candidates from making political contributions to political committees and also removes the limits on how much judges and judicial candidates can contribute to county and state parties. These changes will bring judicial candidates and judges in line with other candidates and elected officials regarding political contributions. Specifically, this legislation will allow judges and judicial candidates to contribute to organizations like the Texas Democratic Women or Texas Federation of Republican Women in addition to county and state executive committees and other local political clubs. (Original Author's / Sponsor's Statement of Intent)

H.B. 3903 amends current law relating to certain political contributions by judicial candidates and officeholders and certain political committees.

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 253.1611, Election Code, by amending Subsection (e) and adding Subsection (e-1), as follows:

(e) Provides that this section (Certain Contributions by Judicial Candidates, Officeholders, and Committees Restricted) does not apply to a political contribution made to the principal political committee of the state executive committee or a county executive committee of a political party that provides goods or services, including political advertising or a campaign communication, to or for the benefit of judicial candidates. Deletes existing text providing that this section does not apply to a political contribution made to the principal political committee of the state executive committee or a county executive committee of a political party that is made in return for goods or services, including political advertising or a campaign communication, the value of which substantially equals or exceeds the amount of the contribution or is in an amount that is not more than the candidate's or officeholder's pro rata share of the committee's normal overhead and administrative or operating costs.

(e-1) Provides that this subsection applies only to a political party required to nominate candidates by primary election. Provides that this section does not apply to a political contribution made, for the purpose of sponsoring or attending an event, to a political committee affiliated with:

(1) an organization that has been designated as an auxiliary, coalition, or county chair association of a political party as provided by political party rule or state executive committee bylaw; or

(2) a local chapter of an organization described by Subdivision (1).

SECTION 2. Repealer: Section 253.1611(f) (relating to computing a candidate's or officeholder's pro rata share of a political committee's normal overhead and administrative or operating costs), Election Code.

SECTION 3. Effective date: upon passage or September 1, 2017.