

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 6, 2013

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB219 by Huffman (Relating to ethics of public servants, including the functions and duties of the Texas Ethics Commission; the regulation of political contributions, political advertising, lobbying, and conduct of public servants; and the reporting of political contributions and expenditures and personal financial information; providing civil and criminal penalties.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.
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The Ethics Commission is subject to the Sunset Act, however the Commission is not subject to abolishment under the Act.

The bill would amend Government Code to require the Ethics Commission (Commission) to develop a system to resolve complaints to align enforcement actions with the seriousness of violations, eliminate Commissioner involvement in the preliminary review of a sworn complaint and restructure the preliminary hearing to include only two Commissioners. The bill would provide for judicial review of Commission decisions based on substantial evidence of the record and would allow the Commission to hold formal hearings itself or to delegate to the State Office of Administrative Hearings. The bill would require personal financial statements to be filed electronically, removes the statutory prohibition on posting reports of major party candidates whose opponents have not yet filed, and modify the statutory filing provisions to streamline the agency's campaign finance filing processes. The bill would identify certain provisions related to registration as a lobbyist, provide that a lobby registrant would not lose protection under the Lobby Law if reporting a portion of a joint expenditure made by a non-registrant, add categories to the Lobby Law provision related to reporting lump sum expenditures for certain events, and provide an exception from the legislative advertising disclaimer for material distributed by a legislator on the floor of the House or Senate.

Although the Commission does not currently accept electronic filing of personal financial statements, the agency indicated that they could accept electronic filing as a portable document file (PDF) with current resources. The agency also indicated that any other costs associated with implementing the bill could be absorbed within existing agency resources.

The bill would take effect September 1, 2013.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 356 Texas Ethics Commission, 116 Sunset Advisory Commission

LBB Staff: UP, AG, EP, EMO