

TESTIMONY
HB 1085
House Elections Committee
April 18, 2007

The League of Women Voters of Texas (LWV-TX) supports **HB 1085** that addresses a number of reforms for which the League has advocated in the past. **HB 1085** and its companion bill in the Senate, **SB 83**, are bipartisan efforts to bring fairness and openness in the electoral process. They also would bring Texas into compliance with the federal *Bipartisan Campaign Reform Act of 2002*.

Revelations in the 2002 elections caused grave concerns to the public and created an erosion of public trust in the electoral process. At issue was the century-old state law that prohibits corporations and unions from funding candidates except for administrative expenses. In 2002 unreported funds were used for administrative expenses that included political ads that were described as “educational” but they clearly alluded to individual targeted candidates’ positions in a negative connotation, carefully crafted not to say “for” or “against” a candidate but they left no doubt as to who the ads were for or against. Statements were often taken out of context to turn the meaning into innuendos and attacked the integrity of the candidate in question. These ads are often referred to as “issue” or “sham” ads. Other unreported “administrative” funds were used for such political activities as phone banks, electioneering brochures, political fundraising and other such political activities. Those who engaged in this activity claimed the laws were unclear as to what constitutes administrative expenses. An attempt to close this loophole with a clear definition of administrative expenses was made in the 2005 legislative session in which bipartisan bills, **HB 1348 and SB 649** were introduced. The House bill had three authors and 84 co-authors. However, despite this amount of support, the bill failed to pass the Elections Committee. The Senate bill had two co-authors and was heard in committee but no action taken. LWV-TX supported these bills.

HB 1085 clearly defines what constitutes genuine business expenses such as maintaining an office, salaries for clerical help, office equipment, phones, and other similar expenses. Campaign ads or electioneering communication is clearly defined as broadcast, cable, mass mailing for a clearly identified candidate that expressly advocates for or against a candidates, and distributed after the 60th day before a general election or 30 days before a primary. These and other safeguards in the bill should go along way to assure the voting public that the electoral process is fair and open. If we are to be a role model for other struggling democracies, we need to clean our own house to be credible.

LWV-TX urges you to vote favorably on **HB 1085**. Thank you.