

Ordinance adopting the procedure to terminate the campaign treasurer appointment of an inactive candidate or inactive specific-purpose political committee in accordance with Texas Election Code Section 252.0131; and amending the City Code of Ordinances, Chapter 2, Administration, with addition of new Section 2-7.

Whereas, Texas Election Code Chapter 252 requires candidates and political committees to file record of the appointment of a campaign treasurer with the appropriate filing authority;

Whereas, Texas Election Code 252.014 requires the authority with whom a campaign treasurer appointment is filed shall preserve the treasurer appointment record for two years after the date the appointment is terminated;

Whereas, Texas Election Code 254.065 and 254.125 provide that a campaign treasurer appointment is officially terminated upon the filing of a final campaign report however not all candidates/committees have consistently filed final reports;

Whereas, in 2005, pursuant to HB 1863, the Texas Election Code Section 252.0131 was amended to provide that the governing body of a political subdivision by ordinance or order may adopt a process by which the clerk or secretary, as applicable, of the political subdivision may terminate the campaign treasurer appointment of an inactive candidate or political committee;

Whereas, stated Legislative Intent for HB 1863 was to address administrative burden placed upon local governments required to maintain these records of campaign treasurer appointments of inactive candidates and inactive political action committees;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The City Code of Ordinances, Chapter 2, Administration, is amended with addition of new Section 2-7 by which the City Council may terminate the campaign treasurer appointment of an inactive candidate or inactive specific-purpose political committee, new Section 2-7 to read as follows:

2-7 Authority to terminate campaign treasurer appointment of inactive candidate and inactive specific purpose political committee.

(a) For purposes of this Ordinance, a candidate becomes “inactive” if the candidate files a campaign treasurer appointment with the City Secretary as required by Texas Election Code Section 252.005 as amended, and more than two years has lapsed since the candidate has filed any required campaign finance reports with the City Secretary.

(b) For purposes of this Ordinance, a specific-purpose political committee becomes “inactive” if the specific-purpose political committee files a campaign treasurer appointment with the City Secretary as required by Texas Election Code Section 252.006 or 252.007 as amended, and more than two years has lapsed since the campaign treasurer of the specific purpose political committee has filed any required campaign finance reports with the City Secretary.

(c) This Ordinance does not apply to a candidate who has been elected to the office of mayor or city council member of the City of Corpus Christi, Texas.

(d) Before the termination of a campaign treasurer appointment, the City Council must consider the proposed termination in a regularly scheduled city council meeting.

(e) Before the City Council may consider termination of a campaign treasurer appointment under this Ordinance and Section 252.0131, Texas Election Code, the City Secretary shall send written notice to the affected candidate or specific-purpose political committee.

(f) The written notice required in subsection (e) must be given at least fourteen (14) calendar days before the date of the meeting at which the City Council will consider the termination of a campaign treasurer appointment and must include:

- (1) the date, time, and place of the meeting;
- (2) a statement of the City Council's intention to consider termination of the campaign treasurer appointment;
- (3) a reference to the particular sections of the statutes and the Ordinance that give the City Council the authority to consider the termination of a campaign treasurer appointment; and
- (4) the effect of termination of a campaign treasurer appointment.

(g) The termination of a candidate's or specific-purpose political committee's campaign treasurer appointment under this Ordinance and Section 252.0131, Texas Election Code, takes effect on the thirtieth (30th) calendar day after the date of the meeting at which the City Council votes to terminate the campaign treasurer appointment.

(h) Following the meeting at which the City Council votes to terminate the campaign treasurer appointment in accordance with this Ordinance, the City Secretary shall promptly notify the affected candidate or specific-purpose political committee that the campaign treasurer appointment has been terminated. The notice must state the effective date of the termination.

SECTION 2. This Ordinance takes effect upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this, the _____ day of _____ 2021, by the following vote:

Paulette M. Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____

Mike Pusley _____

Michael Hunter _____

Greg Smith _____

Billy A. Lerma _____

That the foregoing ordinance was read for the second time and passed finally on this, the _____ day of _____ 2021, by the following vote:

Paulette M. Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____
Michael Hunter _____
Billy A. Lerma _____

Mike Pusley _____
Greg Smith _____

PASSED AND APPROVED on this, the _____ day of _____ 2021.

ATTEST:

Rebecca L. Huerta
City Secretary

Paulette M. Guajardo
Mayor