

ORDINANCE NO. 2024-41

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS AUTHORIZING THE CITY SECRETARY, PURSUANT TO STATE CAMPAIGN FINANCE LAW, TO TERMINATE THE CAMPAIGN TREASURER APPOINTMENTS OF INACTIVE CANDIDATES OR INACTIVE POLITICAL COMMITTEES.

WHEREAS, candidates for City Council and political committees are required to file a Campaign Treasurer Appointment; and

WHEREAS, the appointment of a Campaign Treasurer triggers the requirement to file semi-annual campaign finance reports; and

WHEREAS, the City Secretary is the local filing authority for said reports; and

WHEREAS, Section 252.0131 of the Texas Election Code provides that City Council may adopt a process by which the City Secretary of the political subdivision may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the City Secretary.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, THAT:

SECTION 1. Definition. In this section, "inactive candidate" or "inactive political committee" means a candidate or political committee that:

- (1) has never filed or has ceased to file reports under Chapter 254;
- (2) in the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the authority who is seeking to terminate the candidate's campaign treasurer appointment; and
- (3) has not filed:
 - (A) a final report under Section 254.065 or 254.125; or
 - (B) a dissolution report under Section 254.126 or 254.159.

SECTION 2. Authority. The City Secretary may terminate the campaign treasurer appointment of an inactive candidate or inactive political committee.

SECTION 3. Process. Before the City Secretary may terminate a campaign treasurer appointment under this section the following steps must be taken:

- (1) The City Secretary must provide written notice to the affected candidate or committee of:
 - (A) the proposed termination of the candidate's or committee's campaign treasurer appointment;
 - (B) the date, time, and place of the meeting at which the commission or governing body of the political subdivision, as applicable, will consider the proposed termination; and
 - (C) the effect of termination of the candidate's or committee's campaign treasurer appointment.
- (2) The City Council must consider and approve the proposed termination in a regularly scheduled and properly noticed open meeting. The City Secretary will include the name of each inactive candidate or inactive committee whose treasurer is being terminated in the meeting agenda.
- (3) The City Secretary shall promptly notify the affected candidate or political committee that the appointment has been terminated. The notice must state the effective date of the termination.

SECTION 4. Termination. The termination of a campaign treasurer appointment under this section takes effect on the 30th day after the date of the meeting at which the City Council votes to terminate the appointment. Following that meeting,

SECTION 5. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, on this 12th day of November 2024.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary