

## **U.S. Court of Appeals for the Fifth Circuit Ruling in Catholic Leadership Coalition of Texas, ET AL**

**U.S. Fifth Circuit Court of Appeals rules in favor of the disclosure requirements in state law, but strikes down two technical statutory requirements for general-purpose political committees.**

On August 12, 2014, the United States Court of Appeals for the Fifth Circuit issued a ruling in Cause No. 13-50582, *Catholic Leadership Coalition of Texas, ET AL v. David Reisman, in his official Capacity as Executive Director of the Texas Ethics Commission, ET AL*.

Significantly, the Court of Appeals upheld the statutory prohibition on a corporation making an in-kind contribution of an email mailing list to a political committee that cannot accept corporate contributions.

The opinion also upheld the statutory requirement that political committees file a campaign treasurer appointment before accepting political contributions exceeding \$500 or making political expenditures exceeding \$500.

However, the Court of Appeals found that two technical statutory requirements that apply to general-purpose committees are unconstitutional: specifically, the statutory requirements that a general-purpose committee wait 60 days and accept political contributions from at least 10 contributors before making political contributions or political expenditures exceeding \$500.

In light of the ruling, the Commission will not enforce sections the court found to be unconstitutional: sections 253.037(a)(1) and (a)(2) of the Election Code, as they relate to the 60-day and 10-contributor requirements.