

Tips from the Texas Ethics Commission to Comply with Judicial Campaign Fairness Act (JCFA) Contribution Limits

This guide is not intended to provide comprehensive information about the JCFA. Please consult the “[Campaign Finance Guide for Judicial Candidates and Officeholders](#)” for more information about additional filing requirements, restrictions, and limits on certain contributions and expenditures that apply to judicial candidates and officeholders. This guide includes changes made by House Bill 3233, adopted by the 86th Texas Legislature and effective on June 2, 2019.

1. Know your contribution limit.

A judicial candidate cannot accept political contributions from a person that exceed certain limits in connection with an election in which the candidate’s name appears on the ballot, including an election in which the candidate is unopposed. ELEC. CODE § 253.155. The contribution limits are:

- \$5,000 for candidates for statewide judicial offices;
- \$5,000 for judicial districts with a population of more than one million;
- \$2,500 for judicial districts with a population of 250,000 to one million; and
- \$1,000 for judicial districts with a population of less than 250,000.

These limits apply to total contributions, both monetary and non-monetary (in-kind), from an individual or entity in connection with an election in which the candidate’s name appears on the ballot. A political contribution is “in connection with” the next election for the office occurring after the contribution is made, *unless* the contribution is designated in writing for a specific election.

See the [current population figures for judicial districts](#) for information regarding a specific judicial district.

2. Do not accept more than the applicable limit from a law firm group.

The contribution limits in section 253.155 of the Election Code restrict how much a judicial candidate can accept from a person in connection with an election in which the candidate’s name appears on the ballot. A law firm is considered a person for purposes of the JCFA. See [Ethics Advisory Opinion No. 342 \(1996\)](#). Therefore, a judicial candidate cannot accept political contributions from a law firm that exceed the applicable contribution limit in section 253.155 of the Election Code (listed above at #1).

These limits apply to both monetary and non-monetary (in-kind) political contributions.

EXAMPLE: Brenda Brown is a judicial candidate for a statewide judicial office whose name appears on the ballot. The law firm Smith & Associates would like to contribute to Brenda Brown’s campaign. The maximum amount that Brenda can accept from Smith & Associates is \$5,000 in connection with a single election.

There are additional restrictions that apply to political contributions from persons part of a law firm group. See #5 below for more information.

3. Do not accept more than the applicable limit from contributors and their dependent children.

The JCFA treats a political contribution from an individual’s unmarried, minor child as a contribution from that individual. Thus, section 253.155 of the Election Code acts as a limit on how much a judicial candidate can accept from certain related contributors. It no longer treats a political contribution from an individual’s spouse as a contribution from that individual (effective June 2, 2019).

These limits apply to both monetary and non-monetary (in-kind) political contributions.

EXAMPLE 1: Stan and Sue Smith are married. Judge Jones is a judicial candidate for a district court in a judicial district with a population of 250,000 to one million. Stan Smith contributes \$2,500 to Judge Jones for a single election in which his name appears on the ballot. Even though Stan Smith has already contributed the maximum amount for this election, Judge Jones is not prohibited from accepting a political contribution from Sue Smith as long as it does not exceed \$2,500 for this election.

EXAMPLE 2: Stan and Sue Smith are married and have a fifteen-year-old child named Steve Smith. Judge Jones is a judicial candidate for a district court in a judicial district with a population of 250,000 to one million.

Steve Smith contributes \$2,500 to Judge Jones for a single election in which his name appears on the ballot. Because Steve Smith has already contributed the maximum amount for this election, Judge Jones is prohibited from accepting a political contribution of any amount from Stan or Sue Smith for the same election.

4. Do not accept more than the applicable limit from members of a law firm group.

A judicial candidate may not accept a political contribution of more than \$50 from a person that is a part of a law firm group if the total of all political contributions already accepted from members of the group exceeds the following limits:

- \$30,000 for candidates for statewide judicial offices;
- \$30,000 for judicial districts with a population of more than one million;
- \$15,000 for judicial districts with a population from 250,000 to one million; and
- \$6,000 for judicial districts with a population of less than 250,000.

A law firm group means: (1) the law firm itself; (2) a member of the law firm, which means any partner, associate, shareholder, or employee of the law firm or a person designated “of counsel” or “of the firm;” (3) any general-purpose political committee established or controlled by the law firm or a member of the firm; and (4) a spouse of a member of the law firm.

These limits apply to both monetary and non-monetary (in-kind) political contributions.

EXAMPLE: Lisa Lawyer, an associate at the law firm Smith & Associates, has not contributed to Judge Anderson, a judicial candidate for a statewide judicial office whose name appears on the ballot. Judge Anderson has previously accepted \$30,000 from the members of Smith & Associates. Since Lisa Lawyer is a member of the law firm group, Judge Anderson may not accept more than \$50 from Lisa Lawyer in connection with the same election despite the higher \$5,000 limit in section 253.155 of the Election Code (listed above at #1). See [Ethics Advisory Opinion No. 274 \(1995\)](#).

5. Do not accept more than the applicable limit from general-purpose committees (GPACs).

A judicial candidate may not knowingly accept political contributions from a GPAC that in total exceed the following limits in connection with an election in which the judicial candidate’s name appears on the ballot:

- \$25,000 for a statewide judicial office; or
- \$5,000 for any other judicial office.

In addition to these limits, a judicial candidate or officeholder may not accept a political contribution of more than \$50 from a GPAC if the contribution, when combined with all political contributions received from **all** GPACs in connection with an election would exceed:

- \$300,000 for statewide judicial offices;
- \$75,000 for courts of appeals if the judicial district has a population of more than one million;
- \$52,500 for courts of appeals if the judicial district has a population of one million or less;
- \$52,500 for district or county courts if the judicial district has a population of more than one million;
- \$30,000 for district or county courts if the judicial district has a population of 250,000 to one million; and
- \$15,000 for district or county courts if the judicial district has a population of less than 250,000.

Remember, the \$50 GPAC limit applies only when total contributions, both monetary and non-monetary (in-kind), from all GPACs exceed the applicable limit.

EXAMPLE: Walter Williams is a judicial candidate for a district court in a judicial district with a population of less than 250,000. GPACs A, B, and C each contribute \$5,000 to Walter’s campaign for a single election. Because Walter has already accepted a total of \$15,000 in the aggregate from all GPACs, he is prohibited from accepting any further contributions over \$50 from any GPAC for the same election.

These contribution limits do not apply to GPACs.