

Amend CSHB 1606 as follows:

(1) Between Sections 2.22 and 2.23 of the bill (Senate committee report, page 20, between lines 17 and 18), insert the following new section, appropriately numbered:

SECTION 2.\_\_\_\_. Section 255.001, Election Code, is amended to read as follows:

Sec. 255.001. REQUIRED DISCLOSURE ON POLITICAL ADVERTISING. (a) A person may not knowingly cause to be published, distributed [~~enter into a contract or other agreement to print, publish~~], or broadcast political advertising that expressly advocates the nomination, election, or defeat of a candidate or the passage or defeat of a measure and that does not indicate in the advertising:

(1) that it is political advertising; and

(2) the full name of:

(A) the person who paid for the political advertising;

(B) the political committee authorizing the political advertising; or

(C) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate [~~either the individual who personally entered into the contract or agreement with the printer, publisher, or broadcaster or the person that individual represents; and~~

~~[(3) in the case of advertising that is printed or published, the address of either the individual who personally entered into the agreement with the printer or publisher or the person that individual represents].~~

(b) Political advertising that is authorized by a candidate, an agent of a candidate, or a political committee filing reports under this title is considered to expressly advocate the nomination, election, or defeat of a candidate or the passage or defeat of a measure.

(c) A person may not knowingly use, cause or permit to be used, or continue to use any published, distributed, or broadcast political advertising that expressly advocates the nomination, election, or defeat of a candidate or the passage or defeat of a

measure and that the person knows does not include the disclosure required by Subsection (a). A person is presumed to know that the use of political advertising is prohibited by this subsection if the commission notifies the person in writing that the use is prohibited. A person who learns that political advertising signs, as defined by Section 255.007, that have been distributed do not include the disclosure required by Subsection (a) or include a disclosure that does not comply with Subsection (a) does not commit a continuing violation of this subsection if the person makes a good faith attempt to remove or correct those signs. A person who learns that printed political advertising other than a political advertising sign that has been distributed does not include the disclosure required by Subsection (a) or includes a disclosure that does not comply with Subsection (a) is not required to attempt to recover the political advertising and does not commit a continuing violation of this subsection as to any previously distributed political advertising.

(d) This section does not apply to:

(1) tickets or invitations to political fund-raising events;

(2) [~~or to~~] campaign buttons, pins, hats, or similar campaign materials; or

(3) circulars or flyers that cost in the aggregate less than \$500 to publish and distribute.

(e) [~~(e)~~] A person who violates this section is liable to the state for a civil penalty in an amount determined by the commission not to exceed \$4,000 [~~commits an offense. An offense under this section is a Class A misdemeanor~~].

(2) Immediately following Section 2.26(c) of the bill (Senate committee report, page 20, between lines 60 and 61), insert the following:

(d) Section 255.001, Election Code, as amended by this Act, applies only to political advertising that is published, distributed, or broadcast on or after September 1, 2003. Political advertising that is published, distributed, or broadcast before September 1, 2003, is governed by the law in effect on the date the political advertising is published, distributed, or broadcast, and

the former law is continued in effect for that purpose.

(3) Renumber the sections of Article 2 of the bill accordingly.