

By: Puente

H.B. No. 283

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the making of political contributions to or the  
3 acceptance of political contributions by statewide officeholders  
4 and members of the legislature during the period in which the  
5 governor may veto a bill.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 253.034, Election Code, is amended to  
8 read as follows:

9 Sec. 253.034. RESTRICTIONS ON CONTRIBUTIONS DURING AND  
10 FOLLOWING REGULAR LEGISLATIVE SESSION. (a) During the period  
11 beginning on the 30th day before the date a regular legislative  
12 session convenes and continuing through the last day on which the  
13 governor may veto a bill enacted during the regular legislative  
14 session [~~day of final adjournment~~], a person may not knowingly make  
15 a political contribution to:

16 (1) a statewide officeholder;

17 (2) a member of the legislature; or

18 (3) a specific-purpose committee for supporting,  
19 opposing, or assisting a statewide officeholder or member of the  
20 legislature.

21 (b) A statewide officeholder, a member of the legislature,  
22 or a specific-purpose committee for supporting, opposing, or  
23 assisting a statewide officeholder or member of the legislature may  
24 not knowingly accept a political contribution, and shall refuse a

1 political contribution that is received, during the period  
2 prescribed by Subsection (a).

3 (c) A political contribution that is received and refused  
4 during the [~~that~~] period prescribed by Subsection (a) shall be  
5 returned to the contributor not later than the 30th day after the  
6 date of receipt. A contribution made by mail is not considered  
7 received during the [~~that~~] period prescribed by Subsection (a) if  
8 it was placed with postage prepaid and properly addressed in the  
9 United States mail before the beginning of the period. The date  
10 indicated by the post office cancellation mark is considered to be  
11 the date the contribution was placed in the mail unless proven  
12 otherwise.

13 (d) [~~(c)~~] This section does not apply to a political  
14 contribution that was made and accepted with the intent that it be  
15 used:

16 (1) in an election held or ordered during the period  
17 prescribed by Subsection (a) in which the person on whose behalf  
18 [~~accepting~~] the contribution is accepted is a candidate if the  
19 contribution was made after the person appointed a campaign  
20 treasurer with the appropriate authority and before the person was  
21 sworn in for that office;

22 (2) to defray expenses incurred in connection with an  
23 election contest; or

24 (3) by a person who holds a statewide [~~state~~] office or  
25 a member of the legislature if the person or member was defeated at  
26 the general election held immediately before the session is  
27 convened or by a specific-purpose political committee that supports

1 or assists only that person or member.

2 (e) [~~(d)~~] This section does not apply to a political  
3 contribution made to or accepted by a holder of an office to which  
4 Subchapter F applies.

5 (f) [~~(e)~~] A person who violates this section commits an  
6 offense. An offense under this section is a Class A misdemeanor.

7 SECTION 2. Section 253.034, Election Code, as amended by  
8 this Act, applies only to a political contribution made or accepted  
9 on or after the effective date of this Act. A political  
10 contribution made or accepted before the effective date of this Act  
11 is governed by the law in effect on the date the contribution is  
12 made or accepted, and the former law is continued in effect for that  
13 purpose.

14 SECTION 3. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2003.