

By: Gallego

H.B. No. 1579

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the regulation of certain political contributions,
3 political expenditures, and political advertising; providing civil
4 and criminal penalties.

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

6 SECTION 1. Section 84.001, Election Code, is amended by
7 adding Subsections (d-1) and (d-2) to read as follows:

8 (d-1) An applicant may not use an application form that is
9 part of or is included with a campaign communication or political
10 advertising, as defined by Section 251.001, unless the application
11 form and campaign communication or political advertising are
12 furnished to the applicant by a person described by Section
13 255.011(b).

14 (d-2) An application form that is furnished under the terms
15 of Subsection (d-1) must be returned directly to the county clerk by
16 the person who is applying for the early voting ballot.

17 SECTION 2. Section 251.001, Election Code, is amended by
18 amending Subdivisions (13), (14), and (16) and adding Subdivisions
19 (21)-(23) to read as follows:

20 (13) "Specific-purpose committee" means a political
21 committee that does not have among its principal purposes those of a
22 general-purpose committee but does have among its principal
23 purposes:

24 (A) supporting or opposing [~~one or more~~]:

1 (i) two or more candidates, all of whom are
2 identified and are seeking offices that are known; or

3 (ii) one or more measures or prospective
4 measures, all of which are identified; or

5 (B) assisting two [~~one~~] or more officeholders,
6 all of whom are identified [~~or~~

7 [~~(C) supporting or opposing only one candidate~~
8 ~~who is unidentified or who is seeking an office that is unknown~~].

9 (14) "General-purpose committee" means a political
10 committee that has among its principal purposes:

11 (A) supporting or opposing:

12 (i) two or more candidates who are
13 unidentified or are seeking offices that are unknown; or

14 (ii) one or more measures or prospective
15 measures that are unidentified; or

16 (B) assisting two or more officeholders who are
17 unidentified.

18 (16) "Political advertising" means a communication
19 containing express advocacy that supports or opposes [~~supporting or~~
20 ~~opposing~~] a candidate for nomination or election to a public office
21 or office of a political party or a public officer or supporting or
22 opposing [~~or~~] a political party [~~or a public officer~~] or a measure or
23 prospective measure that:

24 (A) in return for consideration, is:

25 (i) published in a newspaper, magazine, or
26 other periodical;

27 (ii) [~~or is~~] broadcast by radio or

1 television; or

2 (iii) delivered through the use of an
3 automated dial announcing device, as defined by Section 55.121,
4 Utilities Code; or

5 (B) appears in:

6 (i) a pamphlet, circular, flier, telephonic
7 facsimile, billboard or other sign, bumper sticker, or similar form
8 of written communication; or

9 (ii) electronic mail or an Internet
10 website.

11 (21) "Principal political committee of a candidate or
12 officeholder" means a political committee established under
13 Section 251.010 for supporting a candidate or assisting an
14 officeholder.

15 (22) "Prospective measure" means a question or
16 proposal that is intended to be submitted in an election for an
17 expression of the voters' will and that is not yet legally required
18 to be submitted in an election. The term does not include the
19 circulation or submission of a petition to determine whether a
20 question or proposal is required to be submitted in an election for
21 an expression of the voters' will.

22 (23) "Express advocacy" means a communication that
23 advocates:

24 (A) the election or defeat of a candidate by:

25 (i) containing a word or phrase such as
26 "vote for," "reelect," "support," "cast your ballot for," "(name of
27 candidate) for (name of office)," "(name of candidate) in 2004,"

1 "vote against," "defeat," or "reject" or a campaign slogan or words
2 that in context can have no reasonable meaning other than to
3 advocate the election or defeat of one or more clearly identified
4 candidates;

5 (ii) referring to one or more clearly
6 identified candidates or officeholders in a paid advertisement that
7 is broadcast by a radio or television station after the 60th day
8 before the date of an election in which the person identified is a
9 candidate; or

10 (iii) expressing unmistakable and
11 unambiguous support for or opposition to one or more clearly
12 identified candidates or officeholders when taken as a whole and
13 with limited reference to external events, such as proximity to an
14 election; or

15 (B) the passage or defeat of a measure or
16 proposed measure by:

17 (i) containing a word or phrase such as
18 "vote for," "support," "cast your ballot for," "vote against,"
19 "defeat," or "reject" or a campaign slogan or words that in context
20 can have no reasonable meaning other than to advocate the election
21 or defeat of one or more clearly identified measures or prospective
22 measures;

23 (ii) referring to one or more clearly
24 identified measures or prospective measures in a paid advertisement
25 that is broadcast by a radio or television station after the 60th
26 day before the date of an election in which the measure or
27 prospective measure is to appear on the ballot; or

1 (iii) expressing unmistakable and
2 unambiguous support for or opposition to one or more clearly
3 identified measures or prospective measures when taken as a whole
4 and with limited reference to external events, such as proximity to
5 an election.

6 SECTION 3. Subchapter A, Chapter 251, Election Code, is
7 amended by adding Sections 251.010 and 251.011 to read as follows:

8 Sec. 251.010. PRINCIPAL POLITICAL COMMITTEE. (a) A
9 candidate or officeholder shall designate in writing a political
10 committee to serve as the person's principal political committee.

11 (b) A designation under Subsection (a) must be:

12 (1) made not later than the 15th day after the date the
13 person becomes a candidate or officeholder; and

14 (2) filed with the authority with whom the committee's
15 campaign treasurer appointment is required to be filed.

16 (c) The name of a principal political committee must include
17 the candidate's or officeholder's name.

18 (d) A candidate or officeholder may not have more than one
19 principal political committee at a time. A person who is both a
20 candidate and an officeholder may not have more than one principal
21 political committee. A candidate who becomes an officeholder is
22 not required to designate a new principal political committee.

23 (e) A prohibition or restriction imposed by this title on a
24 candidate or officeholder applies to the principal political
25 committee of a candidate or officeholder.

26 (f) A person may not establish a specific-purpose committee
27 for supporting or opposing only one candidate or assisting only one

1 officeholder.

2 Sec. 251.011. LIABILITY OF CANDIDATE OR OFFICEHOLDER FOR
3 ACT OR OMISSION BY PRINCIPAL POLITICAL COMMITTEE. A candidate or
4 officeholder is civilly liable for an act or omission by the
5 person's principal political committee in connection with a
6 requirement or prohibition prescribed by this title only if the
7 person authorized, requested, commanded, performed, or recklessly
8 or negligently tolerated the act or omission.

9 SECTION 4. The heading to Subchapter B, Chapter 251,
10 Election Code, is amended to read as follows:

11 SUBCHAPTER B. DUTIES OF COMMISSION AND
12 SECRETARY OF STATE

13 SECTION 5. Subchapter B, Chapter 251, Election Code, is
14 amended by adding Sections 251.034 and 251.035 to read as follows:

15 Sec. 251.034. FAIR CAMPAIGN SPENDING FUND. (a) The fair
16 campaign spending fund is an account in the general revenue fund.
17 The commission shall administer the fair campaign spending fund.

18 (b) The fair campaign spending fund consists of:

19 (1) damages recovered under Section 253.133 for
20 violations of Chapter 253;

21 (2) civil penalties imposed under Section 571.173,
22 Government Code, for violations of this title;

23 (3) unexpended political contributions remitted to
24 the commission under Section 254.204; and

25 (4) any gifts or grants received by the commission or
26 the secretary of state under Subsection (f).

27 (c) The fair campaign spending fund may be used only for:

1 (1) voter education projects that relate to campaigns
2 for offices for which a campaign treasurer appointment must be
3 filed with the commission, other than offices described by Section
4 252.005(5); and

5 (2) payment of costs incurred in imposing civil
6 penalties for violations of this title.

7 (d) To the extent practicable, the fair campaign spending
8 fund shall be permitted to accumulate until the balance is
9 sufficient to permit the publication of a voter's guide as provided
10 by Section 251.035.

11 (e) The commission may use money in the fair campaign
12 spending fund to produce public service announcements to educate
13 voters about this subchapter.

14 (f) The commission or the secretary of state may accept
15 gifts and grants for the purposes described by Subsections (c)(1),
16 (d), and (e). Money received under this subsection shall be
17 deposited to the credit of the fair campaign spending fund.

18 (g) The fair campaign spending fund is exempt from Section
19 403.095, Government Code.

20 Sec. 251.035. VOTER'S GUIDE. (a) If the necessary money is
21 available under Section 251.034, the secretary of state may publish
22 a voter's guide listing:

23 (1) candidates for offices for which a campaign
24 treasurer appointment must be filed with the commission, other than
25 offices described by Section 252.005(5); and

26 (2) the backgrounds, qualifications, and similar
27 information of candidates described by Subdivision (1).

1 (b) The commission shall adopt rules under which a candidate
2 may provide a statement to the commission for inclusion in the
3 voter's guide. The rules must:

4 (1) prohibit a candidate from referring, directly or
5 indirectly, to an opponent of the candidate;

6 (2) establish a maximum length for a candidate's
7 statement; and

8 (3) prescribe a time by which the statement must be
9 delivered to the commission.

10 (c) Except as provided by Subsections (b)(1) and (2), rules
11 adopted under that subsection may not restrict the content of a
12 candidate's statement.

13 (d) Not later than the seventh day before the date early
14 voting by mail begins, the secretary of state shall:

15 (1) make the voter's guide available for publication
16 by newspapers in each part of the state; and

17 (2) make the voter's guide available on the
18 secretary's Internet website.

19 (e) The commission shall transfer from the fair campaign
20 spending fund to the secretary of state the amount that represents
21 the expenses necessarily incurred by the secretary in making the
22 voter's guide available as provided by Subsection (d).

23 SECTION 6. Section 252.001, Election Code, is amended to
24 read as follows:

25 Sec. 252.001. APPOINTMENT OF CAMPAIGN TREASURER
26 REQUIRED. Each [~~candidate and each~~] political committee shall
27 appoint a campaign treasurer as provided by this chapter.

1 SECTION 7. Section 252.0031(a), Election Code, is amended
2 to read as follows:

3 (a) In addition to the information required by Section
4 252.002, a campaign treasurer appointment by a specific-purpose
5 committee for supporting or opposing two or more candidates [~~a~~
6 ~~candidate~~] for an office specified by Section 252.005(1) must
7 include the name of and the office sought by each [~~the~~] candidate
8 the committee supports or opposes. If that information changes,
9 the committee shall immediately file an amended appointment
10 reflecting the change.

11 SECTION 8. The heading to Section 252.0032, Election Code,
12 is amended to read as follows:

13 Sec. 252.0032. CONTENTS OF APPOINTMENT BY PRINCIPAL
14 POLITICAL COMMITTEE [~~CANDIDATE~~].

15 SECTION 9. Section 252.0032(a), Election Code, is amended
16 to read as follows:

17 (a) In addition to the information required by Section
18 252.002, a campaign treasurer appointment by a principal political
19 committee of a candidate or officeholder [~~candidate~~] must include:

20 (1) the candidate's or officeholder's telephone
21 number; and

22 (2) a statement, signed by the candidate or
23 officeholder, that the candidate or officeholder is aware of the
24 nepotism law, Chapter 573, Government Code.

25 SECTION 10. Sections 252.005 and 252.006, Election Code,
26 are amended to read as follows:

27 Sec. 252.005. AUTHORITY WITH WHOM APPOINTMENT FILED:

1 PRINCIPAL POLITICAL COMMITTEE OF CANDIDATE OR OFFICEHOLDER. A
2 principal political committee of a candidate or officeholder [~~An~~
3 ~~individual~~] must file a campaign treasurer appointment [~~for the~~
4 ~~individual's own candidacy~~] with:

5 (1) the commission, if the appointment is made by the
6 principal political committee of a candidate for or holder of [~~for~~
7 ~~candidacy for~~]:

8 (A) a statewide office;

9 (B) a district office filled by voters of more
10 than one county;

11 (C) a judicial district office filled by voters
12 of only one county;

13 (D) the office of state senator;

14 (E) the office of state representative; or

15 (F) the office of member, State Board of
16 Education;

17 (2) the county clerk, if the appointment is made by the
18 principal political committee of a candidate for or holder of [~~for~~
19 ~~candidacy for~~] a county office, a precinct office, or a district
20 office other than one included in Subdivision (1);

21 (3) the clerk or secretary of the governing body of the
22 political subdivision or, if the political subdivision has no clerk
23 or secretary, with the governing body's presiding officer, if the
24 appointment is made by the principal political committee of a
25 candidate for or holder of [~~for candidacy for~~] an office of a
26 political subdivision other than a county;

27 (4) the county clerk if:

1 (A) the appointment is made by the principal
2 political committee of a candidate for or holder of [~~for candidacy~~
3 ~~for~~] an office of a political subdivision other than a county;

4 (B) the governing body for the political
5 subdivision has not been formed; and

6 (C) no boundary of the political subdivision
7 crosses a boundary of the county; or

8 (5) the commission if:

9 (A) the appointment is made by the principal
10 political committee of a candidate for or holder of [~~for candidacy~~
11 ~~for~~] an office of a political subdivision other than a county;

12 (B) the governing body for the political
13 subdivision has not been formed; and

14 (C) the political subdivision is situated in more
15 than one county.

16 Sec. 252.006. AUTHORITY WITH WHOM APPOINTMENT FILED:
17 SPECIFIC-PURPOSE COMMITTEE FOR SUPPORTING OR OPPOSING CANDIDATES
18 [~~CANDIDATE~~] OR ASSISTING OFFICEHOLDERS [~~OFFICEHOLDER~~]. A
19 specific-purpose committee for supporting or opposing candidates
20 [~~a candidate~~] or assisting officeholders [~~an officeholder~~] must
21 file its campaign treasurer appointment with the same authority as
22 the appointment by a principal political committee in connection
23 with [~~for candidacy for~~] the office.

24 SECTION 11. Section 252.010(a), Election Code, is amended
25 to read as follows:

26 (a) If a candidate whose principal political committee
27 [~~who~~] has filed a campaign treasurer appointment decides to seek a

1 different office that would require the appointment to be filed
2 with another authority, a copy of the appointment certified by the
3 authority with whom it was originally filed must be filed with the
4 other authority in addition to the new campaign treasurer
5 appointment.

6 SECTION 12. Section 252.015(a), Election Code, is amended
7 to read as follows:

8 (a) Each principal political committee of a candidate for or
9 holder of an office specified by Section 252.005(1), each
10 specific-purpose committee for supporting or opposing candidates
11 [a candidate] for an office specified by Section 252.005(1) or a
12 statewide or district measure, and each general-purpose committee
13 may appoint an assistant campaign treasurer by written appointment
14 filed with the commission.

15 SECTION 13. Section 253.002(b), Election Code, is amended
16 to read as follows:

17 (b) This section does not apply to:

18 (1) an individual making an expenditure authorized by
19 Subchapter C;

20 (2) a corporation or labor organization making an
21 expenditure authorized by Subchapter D;

22 (3) ~~[a candidate making or authorizing an expenditure~~
23 ~~for the candidate's own election,~~

24 ~~[(4)]~~ a political committee; or

25 (4) ~~[(5)]~~ a campaign treasurer or assistant campaign
26 treasurer acting in an official capacity.

27 SECTION 14. Section 253.031(a), Election Code, is amended

1 to read as follows:

2 (a) A candidate or officeholder may not knowingly accept a
3 campaign contribution as authorized by Section 253.0311 or make or
4 authorize a campaign expenditure as authorized by Section 253.0312
5 at a time when a campaign treasurer appointment for the principal
6 political committee of the candidate or officeholder is not in
7 effect.

8 SECTION 15. Subchapter B, Chapter 253, Election Code, is
9 amended by adding Sections 253.0311 and 253.0312 to read as
10 follows:

11 Sec. 253.0311. ACCEPTANCE OF POLITICAL CONTRIBUTION BY
12 CANDIDATE OR OFFICEHOLDER. (a) Except as provided by Subsection
13 (b), a candidate or officeholder may not knowingly accept a
14 political contribution in connection with the person's own
15 candidacy or office.

16 (b) A candidate or officeholder may accept a political
17 contribution on behalf of the person's principal political
18 committee unless the committee itself would be prohibited from
19 accepting the contribution.

20 (c) A person who violates this section commits an offense.
21 An offense under this section is a Class B misdemeanor.

22 Sec. 253.0312. CONTRIBUTION OR EXPENDITURE BY CANDIDATE OR
23 OFFICEHOLDER FROM PERSONAL FUNDS. (a) Except as provided by
24 Subsection (b), a candidate or officeholder may not knowingly make
25 a political contribution or political expenditure from the person's
26 personal funds in connection with the person's own candidacy or
27 office.

1 (b) A candidate or officeholder may make a political
2 contribution from the person's personal funds to the person's
3 principal political committee.

4 (c) A person who violates this section commits an offense.
5 An offense under this section is a Class B misdemeanor.

6 SECTION 16. Section 253.033(a), Election Code, is amended
7 to read as follows:

8 (a) The principal political committee of a [A] candidate
9 or[~~r~~] officeholder[~~r~~] or a specific-purpose committee may not
10 knowingly accept from a contributor in a reporting period political
11 contributions in cash that in the aggregate exceed \$100.

12 SECTION 17. Section 253.034, Election Code, is amended to
13 read as follows:

14 Sec. 253.034. RESTRICTIONS ON CONTRIBUTIONS DURING AND
15 FOLLOWING REGULAR LEGISLATIVE SESSION. (a) During the period
16 beginning on the 30th day before the date a regular legislative
17 session convenes and continuing through the day of final
18 adjournment, a person may not knowingly make a political
19 contribution to:

20 (1) the principal political committee of a statewide
21 officeholder;

22 (2) the principal political committee of a member of
23 the legislature; or

24 (3) a specific-purpose committee for supporting,
25 opposing, or assisting a statewide officeholder or member of the
26 legislature.

27 (b) During the period beginning on the day after a regular

1 legislative session adjourns and continuing through the last day on
2 which the governor may veto a bill enacted during the regular
3 legislative session, a person may not knowingly make a political
4 contribution to the principal political committee of the governor.

5 (c) The principal political committee of a [A] statewide
6 officeholder or of[~~T~~] a member of the legislature[~~T~~] or a
7 specific-purpose committee for supporting, opposing, or assisting
8 a statewide officeholder or member of the legislature may not
9 knowingly accept a political contribution, and shall refuse a
10 political contribution that is received, during the period
11 prescribed by Subsection (a).

12 (d) The principal political committee of the governor may
13 not knowingly accept a political contribution, and shall refuse a
14 political contribution that is received, during the period
15 prescribed by Subsection (b).

16 (e) A political contribution that is received and refused
17 during the ~~[that]~~ period prescribed by Subsection (a) or (b) shall
18 be returned to the contributor not later than the 30th day after the
19 date of receipt. A contribution made by mail is not considered
20 received during the ~~[that]~~ period prescribed by Subsection (a) or
21 (b) if it was placed with postage prepaid and properly addressed in
22 the United States mail before the beginning of the period. The date
23 indicated by the post office cancellation mark is considered to be
24 the date the contribution was placed in the mail unless proven
25 otherwise.

26 (f) [~~(e)~~] This section does not apply to a political
27 contribution that was made and accepted with the intent that it be

1 used:

2 (1) in an election held or ordered during the period
3 prescribed by Subsection (a) or (b) in which the person on whose
4 behalf [~~accepting~~] the contribution is accepted is a candidate if
5 the contribution was made after the person's principal political
6 committee filed [~~person appointed~~] a campaign treasurer
7 appointment [~~with the appropriate authority~~] and before the person
8 was sworn in for that office;

9 (2) to defray expenses incurred in connection with an
10 election contest; or

11 (3) by the principal political committee of a person
12 who holds a statewide [~~state~~] office or of a member of the
13 legislature if the person or member was defeated at the general
14 election held immediately before the session is convened [~~or by a~~
15 ~~specific-purpose political committee that supports or assists only~~
16 ~~that person or member~~].

17 (g) [~~(d)~~] This section does not apply to a political
18 contribution made to or accepted by the principal political
19 committee of a holder of an office to which Subchapter F applies.

20 (h) [~~(e)~~] A person who violates this section commits an
21 offense. An offense under this section is a Class A misdemeanor.

22 SECTION 18. Sections 253.035(b), (g), and (h), Election
23 Code, are amended to read as follows:

24 (b) A principal political committee of a candidate or
25 officeholder or specific-purpose committee that accepts a
26 political contribution may not convert the contribution to the
27 personal use of a candidate, officeholder, or former candidate or

1 officeholder.

2 (g) A principal political committee of a candidate or
3 officeholder or specific-purpose committee that converts a
4 political contribution to the personal use of a candidate,
5 officeholder, or former candidate or officeholder in violation of
6 this section is civilly liable to the state for an amount equal to
7 the amount of the converted contribution plus reasonable court
8 costs.

9 (h) Except as provided by Section 253.0351, ~~[or]~~ 253.042, or
10 253.162, a candidate or officeholder who makes political
11 expenditures from the candidate's or officeholder's personal funds
12 may reimburse those personal funds from political contributions in
13 the amount of those expenditures only if:

14 (1) the expenditures from personal funds were fully
15 reported as political expenditures, including the payees, dates,
16 purposes, and amounts of the expenditures, in the report required
17 to be filed under this title that covers the period in which the
18 expenditures from personal funds were made; and

19 (2) the report on which the expenditures from personal
20 funds are disclosed clearly designates those expenditures as having
21 been made from the person's personal funds and that the
22 expenditures are subject to reimbursement.

23 SECTION 19. Section 253.037(c), Election Code, is amended
24 to read as follows:

25 (c) Subsection (a) does not apply to a political party's
26 county executive committee that is complying with Section 253.031
27 or to a general-purpose committee that accepts contributions from a

1 multicandidate political committee, [~~4~~]as defined by 2 U.S.C.
2 Section 431 and its subsequent amendments, [~~the Federal Election~~
3 ~~Campaign Act~~] that is registered with the Federal Election
4 Commission[~~, provided that the general-purpose committee is in~~
5 ~~compliance with Section 253.032~~].

6 SECTION 20. Section 253.038(a), Election Code, is amended
7 to read as follows:

8 (a) A candidate or officeholder, the principal political
9 committee of a candidate or officeholder, or a specific-purpose
10 committee for supporting, opposing, or assisting the candidate or
11 officeholder may not knowingly make or authorize a payment from a
12 political contribution to purchase real property or to pay the
13 interest on or principal of a note for the purchase of real
14 property.

15 SECTION 21. Section 253.041(a), Election Code, is amended
16 to read as follows:

17 (a) A candidate or officeholder, the principal political
18 committee of the candidate or officeholder, or a specific-purpose
19 committee for supporting, opposing, or assisting the candidate or
20 officeholder may not knowingly make or authorize a payment from a
21 political contribution if the payment is made for personal services
22 rendered by the candidate or officeholder or by the spouse or
23 dependent child of the candidate or officeholder to:

24 (1) a business in which the candidate or officeholder
25 has a participating interest of more than 10 percent, holds a
26 position on the governing body of the business, or serves as an
27 officer of the business; or

1 (2) the candidate or officeholder or the spouse or
2 dependent child of the candidate or officeholder.

3 SECTION 22. The heading to Section 253.042, Election Code,
4 is amended to read as follows:

5 Sec. 253.042. RESTRICTIONS ON [~~REIMBURSEMENT OF PERSONAL~~
6 ~~FUNDS AND~~] PAYMENTS ON CERTAIN LOANS.

7 SECTION 23. Section 253.042, Election Code, is amended by
8 amending Subsections (b)-(e) and adding Subsection (b-1) to read as
9 follows:

10 (b) The principal political committee of a [A] candidate or
11 officeholder that [who] accepts one or more political contributions
12 in the form of loans, including an extension of credit or a
13 guarantee of a loan or extension of credit, from the candidate's or
14 officeholder's personal funds or from one or more persons related
15 to the candidate or officeholder within the second degree by
16 affinity or consanguinity as determined under Chapter 573,
17 Government Code, may not use political contributions to repay the
18 loans in amounts that in the aggregate exceed the following amounts
19 for each election in which the person's name appears on the ballot:

- 20 (1) for governor, \$100,000;
21 (2) for a statewide office other than governor,
22 \$50,000;
23 (3) for state senator, \$25,000;
24 (4) for state representative, \$15,000; or
25 (5) for an office other than an office described by
26 Subdivisions (1)-(4) or to which Subchapter F applies, \$10,000.

27 (b-1) The principal political committee of a candidate or

1 officeholder may not use political contributions, in amounts that
2 in the aggregate exceed the amount prescribed by Subsection (b), to
3 repay any other loan or extension of credit for which the candidate
4 or officeholder the committee supports or assists is personally
5 liable [~~(a)~~].

6 (c) The total amount of both reimbursements and repayments
7 made by the principal political committee of a candidate or
8 officeholder under this section may not exceed the amount
9 prescribed by Subsection (b) [~~(a)~~].

10 (d) The principal political committee of a [A] person who is
11 both a candidate and an officeholder covered by this section
12 [~~Subsection (a)~~] may [~~reimburse the person's personal funds or~~]
13 repay loans from political contributions only in one capacity.

14 (e) This section does not prohibit the payment of interest
15 on loans covered by Subsection (b) [~~this section~~] at a commercially
16 reasonable rate, except that interest on those loans [~~from a~~
17 ~~candidate's or officeholder's personal funds or on loans from the~~
18 ~~personal funds of any person related to the candidate or~~
19 ~~officeholder within the second degree by affinity or consanguinity]~~
20 is included in the amount prescribed by Subsection [~~(a)~~] (b) [~~or~~
21 ~~(c)~~].

22 SECTION 24. Subchapter B, Chapter 253, Election Code, is
23 amended by adding Sections 253.043 and 253.044 to read as follows:

24 Sec. 253.043. CONTRIBUTION OR LOAN TO PRINCIPAL POLITICAL
25 COMMITTEE OF CANDIDATE PROHIBITED IMMEDIATELY BEFORE ELECTION. (a)
26 The principal political committee of a candidate may not knowingly
27 accept a political contribution, and shall refuse a political

1 contribution that is received, during the period beginning on the
2 ninth day before the day of an election in which the candidate's
3 name appears on the ballot and ending on the day after election day.

4 (b) The principal political committee of a candidate may not
5 accept a loan or a political contribution in the form of a loan in
6 connection with an election in which the candidate's name is on the
7 ballot after the ninth day before the date of the election.

8 (c) A person who violates this section is liable for a civil
9 penalty not to exceed three times the amount of the contributions or
10 loans accepted in violation of this section.

11 (d) A person who violates this section commits an offense.
12 An offense under this section is a Class B misdemeanor.

13 Sec. 253.044. LIMIT ON CONTRIBUTION BY CHILD. (a) A child
14 may not knowingly make or authorize political contributions to the
15 principal political committee of a candidate or officeholder that,
16 in connection with each election in which the candidate or
17 officeholder is involved, in the aggregate exceed \$100.

18 (b) A person may not knowingly accept a political
19 contribution, and shall refuse a political contribution that is
20 received, in violation of Subsection (a).

21 (c) In this section, "child" means a person under 18 years
22 of age who is not and has not been married or who has not had the
23 disabilities of minority removed for general purposes.

24 (d) A person who violates this section commits an offense.
25 An offense under this section is a Class B misdemeanor.

26 SECTION 25. The heading to Section 253.131, Election Code,
27 is amended to read as follows:

1 Sec. 253.131. LIABILITY TO PRINCIPAL POLITICAL COMMITTEES
2 ~~[CANDIDATES]~~.

3 SECTION 26. Sections 253.131(b) and (c), Election Code,
4 are amended to read as follows:

5 (b) If the contribution or expenditure is in support of a
6 candidate, the principal political committee of each opposing
7 candidate whose name appears on the ballot is entitled to recover
8 damages under this section.

9 (c) If the contribution or expenditure is in opposition to a
10 candidate, the candidate's principal political committee
11 ~~[candidate]~~ is entitled to recover damages under this section.

12 SECTION 27. Sections 253.153(a) and (c), Election Code,
13 are amended to read as follows:

14 (a) The principal political committee of a [A] judicial
15 candidate or officeholder, a specific-purpose committee for
16 supporting or opposing two or more [a] judicial candidates
17 ~~[candidate]~~, or a specific-purpose committee for assisting two or
18 more [a] judicial officeholders ~~[officeholder]~~ may not knowingly
19 accept a political contribution except during the period:

20 (1) beginning on:

21 (A) the 210th day before the date an application
22 for a place on the ballot or for nomination by convention for the
23 office is required to be filed, if the election is for a full term;
24 or

25 (B) the later of the 210th day before the date an
26 application for a place on the ballot or for nomination by
27 convention for the office is required to be filed or the date a

1 vacancy in the office occurs, if the election is for an unexpired
2 term; and

3 (2) ending on the 120th day after the date of:

4 (A) the general election for state and county
5 officers, if the candidate or officeholder has an opponent in the
6 general election;

7 (B) except as provided by Subsection (c), the
8 runoff primary election, if the candidate or officeholder is a
9 candidate in the runoff primary election and does not have an
10 opponent in the general election; or

11 (C) except as provided by Subsection (c), the
12 general primary election, if the candidate or officeholder is not a
13 candidate in the runoff primary election and does not have an
14 opponent in the general election.

15 (c) Notwithstanding Subsection (a)(2), the principal
16 political committee of a judicial candidate who does not have an
17 opponent whose name will appear on the ballot or a specific-purpose
18 committee for supporting such a candidate may accept a political
19 contribution after another person files a declaration of write-in
20 candidacy opposing the candidate.

21 SECTION 28. Section 253.154(a), Election Code, is amended
22 to read as follows:

23 (a) The principal political committee of a [A] write-in
24 candidate for judicial office or a specific-purpose committee for
25 supporting two or more [a] write-in candidates [~~candidate~~] for
26 judicial office may not knowingly accept a political contribution
27 before the candidate files a declaration of write-in candidacy.

1 SECTION 29. Section 253.1541(b), Election Code, is amended
2 to read as follows:

3 (b) Notwithstanding Section 253.153, the principal
4 political committee of a person to whom this section applies may
5 accept officeholder contributions beginning on the date the person
6 assumes the duties of office and ending on the 60th day after that
7 date.

8 SECTION 30. Section 253.155(a), Election Code, is amended
9 to read as follows:

10 (a) Except as provided by Subsection (c), the principal
11 political committee of a judicial candidate or officeholder may not
12 knowingly accept political contributions from a person that in the
13 aggregate exceed the limits prescribed by Subsection (b) in
14 connection with each election in which the person is involved.

15 SECTION 31. Sections 253.157(a)-(c), Election Code, are
16 amended to read as follows:

17 (a) The principal political committee of a [A] judicial
18 candidate or officeholder [~~or a specific-purpose committee for~~
19 ~~supporting or opposing a judicial candidate~~] may not accept a
20 political contribution in excess of \$100 [~~\$50~~] from a person if:

21 (1) the person is a law firm, a member of a law firm, or
22 a general-purpose committee established or controlled by a law
23 firm; and

24 (2) the contribution when aggregated with all
25 political contributions accepted by the principal political
26 committee [~~candidate, officeholder, or committee~~] from the law
27 firm, other members of the law firm, or a general-purpose committee

1 established or controlled by the law firm in connection with the
2 election would exceed six times the applicable contribution limit
3 under Section 253.155.

4 (b) A principal political committee of a judicial candidate
5 or officeholder that [~~person who~~] receives a political contribution
6 that violates Subsection (a) shall return the contribution to the
7 contributor not later than the later of:

8 (1) the last day of the reporting period in which the
9 contribution is received; or

10 (2) the fifth day after the date the contribution is
11 received.

12 (c) A principal political committee of a judicial candidate
13 or officeholder that [~~person who~~] fails to return a political
14 contribution as required by Subsection (b) is liable for a civil
15 penalty not to exceed three times the total amount of political
16 contributions accepted from the law firm, members of the law firm,
17 or general-purpose committees established or controlled by the law
18 firm in connection with the election.

19 SECTION 32. Sections 253.160(a) and (b), Election Code,
20 are amended to read as follows:

21 (a) The principal political committee of a [A] judicial
22 candidate or officeholder [~~or a specific-purpose committee for~~
23 ~~supporting or opposing a judicial candidate or assisting a judicial~~
24 ~~officeholder~~] may not knowingly accept a political contribution
25 from a general-purpose committee that, when aggregated with each
26 other political contribution from a general-purpose committee in
27 connection with an election, exceeds 15 percent of the applicable

1 limit on expenditures prescribed by Section 253.168, regardless of
2 whether the limit on expenditures is suspended.

3 (b) A principal political committee of a judicial candidate
4 or officeholder that [~~person who~~] receives a political contribution
5 that violates Subsection (a) shall return the contribution to the
6 contributor not later than the later of:

7 (1) the last day of the reporting period in which the
8 contribution is received; or

9 (2) the fifth day after the date the contribution is
10 received.

11 SECTION 33. Section 253.1601, Election Code, is amended to
12 read as follows:

13 Sec. 253.1601. CONTRIBUTION TO CERTAIN COMMITTEES
14 CONSIDERED CONTRIBUTION TO PRINCIPAL POLITICAL COMMITTEE
15 [~~CANDIDATE~~]. For purposes of Sections 253.155, 253.157, and
16 253.160, a contribution to a specific-purpose committee for the
17 purpose of supporting two or more [~~a~~] judicial candidates
18 [~~candidate~~], opposing the [~~candidate's~~] opponent of two or more
19 judicial candidates, or assisting two or more candidates [~~the~~
20 ~~candidate~~] as officeholders [~~an officeholder~~] is considered to be a
21 contribution to the principal political committee of each judicial
22 candidate or officeholder the committee supports or assists.

23 SECTION 34. Sections 253.161(a)-(c), Election Code, are
24 amended to read as follows:

25 (a) The principal political committee of a [~~A~~] judicial
26 candidate or officeholder, a specific-purpose committee for
27 supporting or opposing two or more [~~a~~] judicial candidates

1 ~~[candidate]~~, or a specific-purpose committee for assisting two or
2 more ~~[a]~~ judicial officeholders ~~[officeholder]~~ may not use a
3 political contribution to make a campaign expenditure for judicial
4 office or to make an officeholder expenditure in connection with a
5 judicial office if the contribution was accepted while the
6 candidate or officeholder:

7 (1) was a candidate for an office other than a judicial
8 office; or

9 (2) held an office other than a judicial office,
10 unless the person had become a candidate for judicial office.

11 (b) The principal political committee of a ~~[A]~~ candidate
12 or~~[r]~~ officeholder~~[r]~~ or a specific-purpose committee for
13 supporting, opposing, or assisting a ~~[the]~~ candidate or
14 officeholder may not use a political contribution to make a
15 campaign expenditure for an office other than a judicial office or
16 to make an officeholder expenditure in connection with an office
17 other than a judicial office if the contribution was accepted while
18 the candidate or officeholder:

19 (1) was a candidate for a judicial office; or

20 (2) held a judicial office, unless the person had
21 become a candidate for another office.

22 (c) This section does not prohibit the principal political
23 committee of a candidate or officeholder from making a political
24 contribution to the principal political committee of another
25 candidate or officeholder.

26 SECTION 35. Sections 253.1611(a)-(d), Election Code, are
27 amended to read as follows:

1 (a) The principal political committee of a [A] judicial
2 candidate or officeholder or a specific-purpose committee for
3 supporting or opposing two or more [a] judicial candidates
4 [~~candidate~~] or assisting two or more [a] judicial officeholders
5 [~~officeholder~~] may not use a political contribution to knowingly
6 make political contributions that in the aggregate exceed \$100 in a
7 calendar year to the principal political committee of a candidate
8 or officeholder.

9 (b) The principal political committee of a [A] judicial
10 candidate or a specific-purpose committee for supporting or
11 opposing two or more [a] judicial candidates [~~candidate~~] may not
12 use a political contribution to knowingly make political
13 contributions to a political committee in connection with a primary
14 election.

15 (c) The principal political committee of a [A] judicial
16 candidate or a specific-purpose committee for supporting or
17 opposing two or more [a] judicial candidates [~~candidate~~] may not
18 use a political contribution to knowingly make a political
19 contribution to a political committee that, when aggregated with
20 each other political contribution to a political committee in
21 connection with a general election, exceeds \$500.

22 (d) The principal political committee of a [A] judicial
23 officeholder or a specific-purpose committee for assisting two or
24 more [a] judicial officeholders [~~officeholder~~] may not, in any
25 calendar year in which the office held is not on the ballot, use a
26 political contribution to knowingly make a political contribution
27 to a political committee that, when aggregated with each other

1 political contribution to a political committee in that calendar
2 year, exceeds \$250.

3 SECTION 36. Section 253.162, Election Code, is amended to
4 read as follows:

5 Sec. 253.162. RESTRICTIONS ON REIMBURSEMENT OF PERSONAL
6 FUNDS AND PAYMENTS ON CERTAIN LOANS. (a) A judicial candidate or
7 officeholder who makes political contributions to the person's
8 principal political committee [~~expenditures~~] from the person's
9 personal funds may not reimburse the personal funds from political
10 contributions in amounts that in the aggregate exceed, for each
11 election in which the person's name appears on the ballot:

12 (1) for a statewide judicial office, \$100,000; or

13 (2) for an office other than a statewide judicial
14 office, five times the applicable contribution limit under Section
15 253.155.

16 (b) A principal political committee of a [A] judicial
17 candidate or officeholder may not:

18 (1) use political contributions to repay a loan [~~who~~
19 ~~accepts one or more political contributions in the form of loans~~],
20 including an extension of credit or a guarantee of a loan or
21 extension of credit, from one or more persons related [~~to the~~
22 ~~candidate or officeholder~~] within the second degree by
23 consanguinity, as determined under [~~Subchapter B,~~] Chapter 573,
24 Government Code, to the candidate or officeholder the committee
25 supports or assists; or

26 (2) use political contributions, in amounts that in
27 the aggregate exceed the amount prescribed by Subsection (a), to

1 repay any other loan or extension of credit for which the candidate
2 or officeholder the committee supports or assists is personally
3 liable [~~may not use political contributions to repay the loans~~].

4 (c) The total amount of both reimbursements under
5 Subsection (a) and repayments under Subsection (b)(2) made by the
6 principal political committee of a candidate or officeholder may
7 not exceed the amount prescribed by Subsection (a).

8 (d) The principal political committee of a [A] person who is
9 both a candidate and an officeholder may reimburse the person's
10 personal funds or repay loans from political contributions only in
11 one capacity.

12 (e) [~~(d)~~] A person who violates this section is liable for a
13 civil penalty not to exceed three times the amount by which the
14 reimbursement or repayment made in violation of this section
15 exceeds the applicable limit prescribed by Subsection (a).

16 SECTION 37. Sections 253.163(a), (b), and (d), Election
17 Code, are amended to read as follows:

18 (a) A person other than the principal political committee of
19 a judicial candidate or [~~or~~] officeholder [~~or~~] or the principal
20 political committee of the state executive committee or a county
21 executive committee of a political party may not make political
22 expenditures that in the aggregate exceed \$5,000 for the purpose of
23 supporting or opposing a candidate for an office other than a
24 statewide judicial office or assisting such a candidate as an
25 officeholder unless the person files with the authority with whom a
26 campaign treasurer appointment by the principal political
27 committee of a candidate for the office is required to be filed a

1 written declaration of the person's intent to make expenditures
2 that exceed the limit prescribed by this subsection.

3 (b) A person other than the principal political committee of
4 a judicial candidate or[7] officeholder[7] or the principal
5 political committee of the state executive committee or a county
6 executive committee of a political party may not make political
7 expenditures that in the aggregate exceed \$25,000 for the purpose
8 of supporting or opposing a candidate for a statewide judicial
9 office or assisting such a candidate as an officeholder unless the
10 person files with the commission a written declaration of the
11 person's intent to make expenditures that exceed the limit
12 prescribed by this subsection.

13 (d) A declaration received under Subsection (a) or (b) shall
14 be filed with the records of the principal political committee of
15 each judicial candidate or officeholder on whose behalf the person
16 filing the declaration intends to make political expenditures. If
17 the person intends to make only political expenditures opposing a
18 judicial candidate, the declaration shall be filed with the records
19 of the principal political committee of each candidate for the
20 office.

21 SECTION 38. Sections 253.164(a)-(c), Election Code, are
22 amended to read as follows:

23 (a) When a person becomes a candidate for a judicial office,
24 the person shall file with the authority with whom the candidate's
25 principal political committee is required to file its campaign
26 treasurer appointment [~~is required to be filed~~]:

27 (1) a sworn declaration of compliance stating that the

1 person voluntarily agrees to comply with the limits on expenditures
2 prescribed by this subchapter; or

3 (2) a written declaration of the person's intent to
4 make expenditures that exceed the limits prescribed by this
5 subchapter.

6 (b) The limits on contributions and on reimbursement of
7 personal funds prescribed by this subchapter apply to complying
8 candidates and their principal political committees unless
9 suspended as provided by Section 253.165 or 253.170. The limits on
10 contributions and on reimbursement of personal funds prescribed by
11 this subchapter apply to noncomplying candidates and their
12 principal political committees regardless of whether the limits on
13 contributions, expenditures, and reimbursement of personal funds
14 are suspended with respect to [~~for~~] complying candidates.

15 (c) The principal political committee of a [A] judicial
16 candidate may not knowingly accept a campaign contribution or make
17 or authorize a campaign expenditure before the candidate files a
18 declaration under Subsection (a).

19 SECTION 39. Sections 253.165(a), (b), and (e), Election
20 Code, are amended to read as follows:

21 (a) A complying candidate and the candidate's principal
22 political committee are [~~or a specific-purpose committee for~~
23 ~~supporting a complying candidate is~~] not required to comply with
24 the limits on contributions, expenditures, and the reimbursement of
25 personal funds prescribed by this subchapter if another person
26 becomes a candidate for the same office and:

27 (1) files a declaration of intent to exceed the limits

1 on expenditures under Section 253.164(a)(2);

2 (2) fails to file a declaration of compliance under
3 Section 253.164(a)(1) or a declaration of intent under Section
4 253.164(a)(2);

5 (3) files a declaration of compliance under Section
6 253.164(a)(1) but later exceeds the limits on expenditures; or

7 (4) violates Section 253.173 or 253.174.

8 (b) The executive director of the commission shall issue an
9 order suspending the limits on contributions and expenditures for a
10 specific office not later than the fifth day after the date the
11 executive director determines that:

12 (1) a person has become a candidate for that office
13 and:

14 (A) has filed a declaration of intent to exceed
15 the limits on expenditures under Section 253.164(a)(2); or

16 (B) has failed to file a declaration of
17 compliance under Section 253.164(a)(1) or a declaration of intent
18 under Section 253.164(a)(2);

19 (2) the principal political committee of a complying
20 candidate for that office has exceeded the limit on expenditures
21 prescribed by this subchapter; or

22 (3) a candidate for that office has violated Section
23 253.173 or 253.174.

24 (e) A county clerk who receives a written allegation that
25 the principal campaign committee of a complying candidate has
26 exceeded the limit on expenditures or that a candidate has engaged
27 in conduct prohibited by Section 253.173 or 253.174 shall deliver a

1 copy of the allegation to the executive director of the commission
2 not later than the fifth day after the date the county clerk
3 receives the allegation. The county clerk shall, at no cost to the
4 commission, deliver to the executive director by mail or telephonic
5 facsimile machine copies of documents relevant to the allegation
6 not later than 48 hours after the executive director requests the
7 documents.

8 SECTION 40. Section 253.168(a), Election Code, is amended
9 to read as follows:

10 (a) For each election in which the candidate is involved,
11 the principal political committee of a complying candidate may not
12 knowingly make or authorize political expenditures that in the
13 aggregate exceed:

14 (1) for a statewide judicial office, \$2 million;

15 (2) for the office of chief justice or justice, court
16 of appeals:

17 (A) \$500,000, if the population of the judicial
18 district is more than one million; or

19 (B) \$350,000, if the population of the judicial
20 district is one million or less; or

21 (3) for an office other than an office covered by
22 Subdivision (1) or (2):

23 (A) \$350,000, if the population of the judicial
24 district is more than one million;

25 (B) \$200,000, if the population of the judicial
26 district is 250,000 to one million; or

27 (C) \$100,000, if the population of the judicial

1 district is less than 250,000.

2 SECTION 41. Section 253.169, Election Code, is amended to
3 read as follows:

4 Sec. 253.169. EXPENDITURE BY CERTAIN COMMITTEES CONSIDERED
5 EXPENDITURE BY CANDIDATE. (a) For purposes of Section 253.168,
6 an expenditure by a specific-purpose committee for the purpose of
7 supporting a candidate, opposing the candidate's opponent, or
8 assisting the candidate as an officeholder is considered to be an
9 expenditure by the principal political committee of the candidate
10 unless the candidate, in an affidavit filed with the authority with
11 whom the candidate's principal political committee is required to
12 file its campaign treasurer appointment [~~is required to be filed~~],
13 states that the candidate's campaign, including the candidate, an
14 aide to the candidate, a campaign officer, or a campaign consultant
15 of the candidate, has not directly or indirectly communicated with
16 the specific-purpose committee in regard to a strategic matter,
17 including polling data, advertising, or voter demographics, in
18 connection with the candidate's campaign.

19 (b) This section applies only to an expenditure of which the
20 principal campaign committee of the candidate or officeholder has
21 notice.

22 (c) An affidavit under this section shall be filed with the
23 next report the principal political committee of the candidate or
24 officeholder is required to file under Chapter 254 following the
25 receipt of notice of the expenditure.

26 SECTION 42. Sections 253.170(a) and (b), Election Code,
27 are amended to read as follows:

1 (a) A complying candidate for an office other than a
2 statewide judicial office and the candidate's principal political
3 committee are [~~or a specific-purpose committee for supporting such~~
4 ~~a candidate is~~] not required to comply with the limits on
5 contributions, expenditures, and the reimbursement of personal
6 funds prescribed by this subchapter if a person other than the
7 candidate's opponent or the principal political committee of the
8 state executive committee or a county executive committee of a
9 political party makes political expenditures that in the aggregate
10 exceed \$5,000 for the purpose of supporting the candidate's
11 opponent, opposing the candidate, or assisting the candidate's
12 opponent as an officeholder.

13 (b) A complying candidate for a statewide judicial office
14 and the candidate's principal political committee are [~~or a~~
15 ~~specific-purpose committee for supporting such a candidate is~~] not
16 required to comply with the limits on contributions, expenditures,
17 and the reimbursement of personal funds prescribed by this
18 subchapter if a person other than the principal political committee
19 of the candidate's opponent or the principal political committee of
20 the state executive committee or a county executive committee of a
21 political party makes political expenditures that in the aggregate
22 exceed \$25,000 for the purpose of supporting the candidate's
23 opponent, opposing the candidate, or assisting the candidate's
24 opponent as an officeholder.

25 SECTION 43. Section 253.171(a), Election Code, is amended
26 to read as follows:

27 (a) Except as provided by Subsection (b), a political

1 contribution to the principal political committee of a complying
2 candidate or a direct campaign expenditure on behalf of a complying
3 candidate that is made by the principal political committee of the
4 state executive committee or a county executive committee of a
5 political party is considered to be a political expenditure by the
6 principal political committee of the candidate for purposes of the
7 expenditure limits prescribed by Section 253.168.

8 SECTION 44. Section 253.172(a), Election Code, is amended
9 to read as follows:

10 (a) The principal political committee of a [A] candidate who
11 files a declaration of compliance under Section 253.164(a)(1) and
12 who later files a declaration of intent to exceed the limits on
13 expenditures under Section 253.164(a)(2) or a specific-purpose
14 committee for supporting such a candidate may not make a political
15 expenditure that causes the person to exceed the applicable limit
16 on expenditures prescribed by Section 253.168 before the 60th day
17 after the date the candidate files the declaration of intent to
18 exceed the limits on expenditures.

19 SECTION 45. Section 254.031, Election Code, is amended by
20 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
21 read as follows:

22 (a) Except as otherwise provided by this chapter, each
23 report filed under this chapter must include:

24 (1) the amount of political contributions from each
25 person that in the aggregate exceed \$100 [~~\$50~~] and that are accepted
26 during the reporting period by the [~~person or~~] committee required
27 to file a report under this chapter, the full name and address of

1 the person making the contributions, and the dates of the
2 contributions;

3 (2) for each individual from whom the committee
4 required to file the report has accepted political contributions
5 that in the aggregate exceed \$1,000 and that are accepted during the
6 reporting period:

7 (A) the individual's principal occupation or job
8 title;

9 (B) the full name of the individual's employer,
10 if any; and

11 (C) if the committee required to file the report
12 is the principal political committee of a candidate or
13 officeholder, the aggregate total of political contributions
14 accepted from the individual since the date of the last general
15 election for the office sought by the candidate or held by the
16 officeholder, other than a contribution designated in writing for
17 that general election;

18 (3) the amount of loans that are made during the
19 reporting period for campaign or officeholder purposes to the
20 [person or] committee required to file the report [and that in the
21 aggregate exceed \$50], the dates the loans are made, the interest
22 rate, the maturity date, the type of collateral for the loans, if
23 any, the full name and address of the person or financial
24 institution making the loans, the full name and address, principal
25 occupation, and name of the employer of each guarantor of the loans,
26 the amount of the loans guaranteed by each guarantor, and the
27 aggregate principal amount of all outstanding loans as of the last

1 day of the reporting period;

2 (4) [~~(3)~~] the amount of political expenditures that in
3 the aggregate exceed \$100 [~~\$50~~] and that are made during the
4 reporting period, the full name and address of the persons to whom
5 the expenditures are made, and the dates and purposes of the
6 expenditures;

7 (5) [~~(4)~~] the amount of each payment made during the
8 reporting period from a political contribution if the payment is
9 not a political expenditure, the full name and address of the person
10 to whom the payment is made, and the date and purpose of the
11 payment;

12 (6) [~~(5)~~] the total amount or a specific listing of
13 the political contributions of \$100 [~~\$50~~] or less accepted and the
14 total amount or a specific listing of the political expenditures of
15 \$100 [~~\$50~~] or less made during the reporting period;

16 (7) [~~(6)~~] the total amount of all political
17 contributions accepted and the total amount of all political
18 expenditures made during the reporting period; and

19 (8) [~~(7)~~] the name of each candidate or officeholder
20 who benefits from a direct campaign expenditure made during the
21 reporting period by the person or committee required to file the
22 report, and the office sought or held, excluding a direct campaign
23 expenditure that is made by the principal political committee of a
24 political party on behalf of a slate of two or more nominees of that
25 party.

26 (a-1) Instead of the information required by Subsections
27 (a)(4), (6), and (7), each report filed under this chapter by an

1 out-of-state political committee must include:

2 (1) the amount of political expenditures in connection
3 with elections in this state that in the aggregate exceed \$100 and
4 that are made during the reporting period, the full name and
5 address of the persons to whom the expenditures are made, and the
6 dates and purposes of the expenditures;

7 (2) the total amount or a specific listing of the
8 political contributions of \$100 or less accepted during the
9 reporting period;

10 (3) the total amount or a specific listing of the
11 political expenditures in connection with elections in this state
12 of \$100 or less made during the reporting period;

13 (4) the total amount of all political contributions
14 accepted during the reporting period; and

15 (5) the total amount of all political expenditures in
16 connection with elections in this state made during the reporting
17 period.

18 (a-2) A report under this chapter is considered to be in
19 compliance with Subsections (a)(2)(A) and (B) only if the person
20 required to file the report or the person's campaign treasurer
21 shows that the person has used best efforts, as provided by Section
22 254.0312, to obtain, maintain, and report the information required
23 by that subdivision.

24 SECTION 46. Section 254.0311(b), Election Code, is amended
25 to read as follows:

26 (b) A report filed under this section must include:

27 (1) the amount of contributions from each person,

1 other than a caucus member, that in the aggregate exceed \$100 [~~\$50~~]
2 and that are accepted during the reporting period by the
3 legislative caucus, the full name and address of the person making
4 the contributions, and the dates of the contributions;

5 (2) for each individual from whom the legislative
6 caucus has accepted contributions that in the aggregate exceed
7 \$1,000 and that are accepted during the reporting period:

8 (A) the individual's principal occupation or job
9 title; and

10 (B) the full name of the individual's employer,
11 if any;

12 (3) the amount of loans that are made during the
13 reporting period to the legislative caucus [~~and that in the~~
14 ~~aggregate exceed \$50~~], the dates the loans are made, the interest
15 rate, the maturity date, the type of collateral for the loans, if
16 any, the full name and address of the person or financial
17 institution making the loans, the full name and address, principal
18 occupation, and name of the employer of each guarantor of the loans,
19 the amount of the loans guaranteed by each guarantor, and the
20 aggregate principal amount of all outstanding loans as of the last
21 day of the reporting period;

22 (4) [~~(3)~~] the amount of expenditures that in the
23 aggregate exceed \$100 [~~\$50~~] and that are made during the reporting
24 period, the full name and address of the persons to whom the
25 expenditures are made, and the dates and purposes of the
26 expenditures;

27 (5) [~~(4)~~] the total amount or a specific listing of

1 contributions of \$100 [~~\$50~~] or less accepted from persons other
2 than caucus members and the total amount or a specific listing of
3 expenditures of \$100 [~~\$50~~] or less made during the reporting
4 period; and

5 (6) [~~(5)~~] the total amount of all contributions
6 accepted, including total contributions from caucus members, and
7 the total amount of all expenditures made during the reporting
8 period.

9 SECTION 47. Subchapter B, Chapter 254, Election Code, is
10 amended by adding Section 254.0312 to read as follows:

11 Sec. 254.0312. BEST EFFORTS. (a) A person required to file
12 a report under this subchapter is considered to have used best
13 efforts to obtain, maintain, and report the information required by
14 Sections 254.031(a)(2)(A) and (B) or Section 254.0311(b)(2) if the
15 person or the person's campaign treasurer complies with this
16 section.

17 (b) Each written solicitation for political contributions
18 or contributions to a legislative caucus from an individual must
19 include:

20 (1) a clear request for the individual's full name and
21 address, the individual's principal occupation or job title, and
22 the full name of the individual's employer; and

23 (2) an accurate statement of state law regarding the
24 collection and reporting of individual contributor information,
25 such as:

26 (A) "State law requires (a political committee or
27 legislative caucus, as applicable) to use best efforts to collect

1 and report the full name and address, principal occupation or job
2 title, and full name of employer of individuals whose contributions
3 exceed \$1,000 in a reporting period."; or

4 (B) "To comply with state law, (a political
5 committee or legislative caucus, as applicable) must use best
6 efforts to obtain, maintain, and report the full name and address,
7 principal occupation or job title, and full name of employer of
8 individuals whose contributions exceed \$1,000 in a reporting
9 period."

10 (c) For each political contribution or contribution to a
11 legislative caucus received from an individual that, when
12 aggregated with all other such contributions received from the
13 individual during the reporting period, exceeds \$1,000 and for
14 which the information required by Sections 254.031(a)(2)(A) and (B)
15 is not provided, the person must make at least one oral or written
16 request for the missing information. A request under this
17 subsection:

18 (1) must be made not later than the 30th day after the
19 date the contribution is received;

20 (2) must include a clear and conspicuous statement
21 that complies with Subsection (b);

22 (3) if made orally, must be documented in writing; and

23 (4) may not be made in conjunction with a solicitation
24 for an additional contribution.

25 (d) A person must report any information required by
26 Sections 254.031(a)(2)(A) and (B) or Section 254.0311(b)(2) that is
27 not provided by the individual making the contribution and that the

1 person has in the person's records of contributions or previous
2 reports under this chapter.

3 (e) A person who receives information required by Sections
4 254.031(a)(2)(A) and (B) or Section 254.0311(b)(2) after the filing
5 deadline for the report on which the contribution is reported must
6 include the missing information on the next report the person is
7 required to file under this chapter.

8 SECTION 48. Sections 254.034(a) and (d), Election Code, are
9 amended to read as follows:

10 (a) A determination to accept or refuse a political
11 contribution that is received by a [~~candidate, officeholder, or~~]
12 political committee shall be made not later than the end of the
13 reporting period during which the contribution is received.

14 (d) A person [~~candidate, officeholder, or political~~
15 ~~committee~~] commits an offense if the person knowingly fails to
16 return a political contribution as required by Subsection (c).

17 SECTION 49. Sections 254.036(c)-(e), Election Code, are
18 amended to read as follows:

19 (c) A [~~candidate, officeholder, or~~] political committee
20 that is required to file reports with the commission may file
21 reports that comply with Subsection (a) if the [~~candidate,~~
22 ~~officeholder, or~~] campaign treasurer of the committee files with
23 the commission an affidavit stating that the [~~candidate,~~
24 ~~officeholder, or~~] committee, an agent of the [~~candidate,~~
25 ~~officeholder, or~~] committee, or a person with whom the [~~candidate,~~
26 ~~officeholder, or~~] committee contracts does not use computer
27 equipment to keep the current records of political contributions,

1 political expenditures, or persons making political contributions
2 to the [~~candidate, officeholder, or~~] committee. An affidavit under
3 this subsection must be filed with each report filed under
4 Subsection (a). The affidavit must include a statement that the
5 [~~candidate, officeholder, or~~] political committee understands that
6 if the [~~candidate, officeholder, or~~] committee, a consultant of the
7 [~~candidate, officeholder, or~~] committee, or a person with whom the
8 [~~candidate, officeholder, or~~] committee contracts uses computer
9 equipment for a purpose described by this subsection, the
10 [~~candidate, officeholder, or~~] committee is required to file reports
11 under Subsection (b).

12 (d) A [~~candidate, officeholder, or~~] political committee
13 that is required to file reports with the commission, other than the
14 principal political committee of a candidate for or holder of a
15 statewide office or a specific-purpose committee for supporting or
16 opposing such a candidate or assisting such an officeholder, may
17 file reports that comply with Subsection (a) if the [~~candidate or~~]
18 committee does not accept political contributions that in the
19 aggregate exceed \$20,000 or make political expenditures that in the
20 aggregate exceed \$20,000 in a calendar year. A [~~candidate,~~
21 ~~officeholder, or~~] political committee that exceeds \$20,000 in
22 political contributions or political expenditures in a calendar
23 year shall file reports as required by Subsection (b) for:

24 (1) any reporting period during the calendar year in
25 which the limit prescribed by this subsection is exceeded, other
26 than a reporting period that has ended on the date the limit is
27 exceeded; and

1 (2) each reporting period during a calendar year
2 subsequent to the calendar year in which the limit is exceeded.

3 (e) The principal political committee of a [A] candidate for
4 an office described by Section 252.005(5) or a specific-purpose
5 committee for supporting or opposing only candidates for an office
6 described by Section 252.005(5) or a measure described by Section
7 252.007(5) may file reports that comply with Subsection (a).

8 SECTION 50. The heading to Section 254.038, Election Code,
9 is amended to read as follows:

10 Sec. 254.038. TELEGRAM REPORT BY CERTAIN [~~CANDIDATES AND~~]
11 POLITICAL COMMITTEES.

12 SECTION 51. Sections 254.038(a)-(c), Election Code, are
13 amended to read as follows:

14 (a) In addition to other reports required by this chapter,
15 the following political committees [~~persons~~] shall file additional
16 reports during the period beginning the ninth day before election
17 day and ending at 5 p.m. [~~12 noon~~] on the [~~second~~] day before
18 election day:

19 (1) the principal political committee of a candidate
20 for statewide office who has an opponent whose name is to appear on
21 the ballot and that [~~who~~] accepts political contributions from a
22 person that in the aggregate exceed \$5,000 [~~\$1,000~~] during that
23 reporting period;

24 (2) the principal political committee of a candidate
25 for state senator who has an opponent whose name is to appear on the
26 ballot and that [~~who~~] accepts political contributions under Section
27 253.043(b) [~~from a person~~] that in the aggregate exceed \$2,500

1 [~~\$1,000~~] during that reporting period;

2 (3) the principal political committee of a candidate
3 for state representative who has an opponent whose name is to appear
4 on the ballot and that [~~who~~] accepts political contributions under
5 Section 253.043(b) [~~from a person~~] that in the aggregate exceed
6 \$1,000 [~~\$200~~] during that reporting period;

7 (4) a specific-purpose committee for supporting or
8 opposing two or more candidates [~~a candidate~~] for statewide office
9 and that accepts political contributions from a person that in the
10 aggregate exceed \$5,000 [~~\$1,000~~] during that reporting period;

11 (5) a specific-purpose committee for supporting or
12 opposing two or more candidates [~~a candidate~~] for state senator and
13 that accepts political contributions from a person that in the
14 aggregate exceed \$2,500 [~~\$1,000~~] during that reporting period; and

15 (6) a specific-purpose committee for supporting or
16 opposing two or more candidates [~~a candidate~~] for state
17 representative and that accepts political contributions from a
18 person that in the aggregate exceed \$1,000 [~~\$200~~] during that
19 reporting period.

20 (b) Each report required by this section must include the
21 amount of the political contributions specified by Subsection (a),
22 the full name and address of the person making the contributions,
23 and the dates of the contributions.

24 (c) A report under this section shall be filed by telegram
25 or telephonic facsimile machine or by hand with the commission not
26 later than 24 [~~48~~] hours after the contribution is accepted.

27 SECTION 52. Section 254.039(a), Election Code, is amended

1 to read as follows:

2 (a) In addition to other reports required by this chapter, a
3 general-purpose committee that makes direct campaign expenditures
4 supporting or opposing either a single candidate that in the
5 aggregate exceed \$1,000 or a group of candidates that in the
6 aggregate exceed \$15,000 during the period beginning the ninth day
7 before election day and ending at 5 p.m. [~~12 noon~~] on the [~~second~~
8 day before election day shall file a report by telegram or
9 telephonic facsimile machine or by hand with the commission not
10 later than 24 [~~48~~] hours after the expenditure is made.

11 SECTION 53. Section 254.0391(a), Election Code, is amended
12 to read as follows:

13 (a) The principal political committee of a [A] statewide
14 officeholder, a member of the legislature, [or a specific-purpose
15 committee for supporting, opposing, or assisting a statewide
16 officeholder or member of the legislature,] or a candidate for
17 statewide office or the legislature or a specific-purpose committee
18 for supporting or opposing two or more candidates for statewide
19 office or the legislature or for assisting two or more statewide
20 officeholders or members of the legislature [the candidate,] that
21 accepts a political contribution during the period beginning on the
22 date the governor signs the proclamation calling a special
23 legislative session and continuing through the date of final
24 adjournment shall report the contribution to the commission not
25 later than the 30th day after the date of final adjournment.

26 SECTION 54. Sections 254.0401(a) and (e), Election Code,
27 are amended to read as follows:

1 (a) The [~~Except as provided by Subsection (b), the~~]
2 commission shall make each report filed with the commission under
3 Section 254.036(b) available to the public on the Internet not
4 later than the second business day after the date the report is
5 filed.

6 (e) Before making a report filed under Section 254.036(b)
7 available on the Internet, the commission shall remove each
8 portion, other than street name, city, state, and zip code, of the
9 address of a person listed as having made a political contribution
10 to the person filing the report. The address information removed
11 must remain available on the report maintained in the commission's
12 office but may not be available electronically at that office.

13 SECTION 55. Section 254.041(c), Election Code, is amended
14 to read as follows:

15 (c) A violation of Subsection (a)(3) by the principal
16 political committee of a candidate or officeholder is a Class A
17 misdemeanor if the report fails to include information required by
18 Section 254.061(3) or Section 254.091(2), as applicable.

19 SECTION 56. Subchapter B, Chapter 254, Election Code, is
20 amended by adding Section 254.043 to read as follows:

21 Sec. 254.043. CONTRIBUTION OR EXPENDITURE PROHIBITED WHEN
22 REPORT OUTSTANDING. (a) A political committee that does not file a
23 report required under this chapter may not knowingly accept a
24 political contribution or knowingly make a political expenditure
25 during the period:

26 (1) beginning on the day after the date on which the
27 report is required to be filed; and

1 (C) the full name and address of the committee's
2 campaign treasurer; and

3 (D) the amount of each political contribution or
4 political expenditure;

5 (4) the full name and address of each individual
6 acting as a campaign treasurer of a political committee under
7 Section 253.062 from whom the principal political committee
8 [~~candidate~~] received notice under Section 254.128 or 254.161; and

9 (5) on a separate page or pages of the report, the
10 identification of any payment from political contributions made to
11 a business in which the candidate has a participating interest of
12 more than 10 percent, holds a position on the governing body of the
13 business, or serves as an officer of the business.

14 SECTION 59. The heading to Section 254.0611, Election Code,
15 is amended to read as follows:

16 Sec. 254.0611. ADDITIONAL CONTENTS OF REPORTS BY PRINCIPAL
17 POLITICAL COMMITTEE OF CERTAIN JUDICIAL CANDIDATES AND
18 OFFICEHOLDERS.

19 SECTION 60. Section 254.0611(a), Election Code, is amended
20 to read as follows:

21 (a) In addition to the contents required by Sections 254.031
22 and 254.061, each report by the principal political committee of a
23 candidate for or holder of a judicial office covered by Subchapter
24 F, Chapter 253, must include:

25 (1) the total amount of political contributions,
26 including interest or other income, maintained in one or more
27 accounts in which political contributions are deposited as of the

1 last day of the reporting period;

2 (2) for each individual from whom the principal
3 political committee [~~person~~] filing the report has accepted
4 political contributions that in the aggregate exceed \$100 [~~\$50~~] and
5 that are accepted during the reporting period:

6 (A) the principal occupation and job title of the
7 individual and the full name of the employer of the individual or of
8 the law firm of which the individual or the individual's spouse is a
9 member, if any; or

10 (B) if the individual is a child, the full name of
11 the law firm of which either of the individual's parents is a
12 member, if any;

13 (3) a specific listing of each asset valued at \$500 or
14 more that was purchased with political contributions and on hand as
15 of the last day of the reporting period;

16 (4) for each political contribution accepted by the
17 principal political committee [~~person~~] filing the report but not
18 received as of the last day of the reporting period:

19 (A) the full name and address of the person
20 making the contribution;

21 (B) the amount of the contribution; and

22 (C) the date of the contribution; and

23 (5) for each outstanding loan to the principal
24 political committee [~~person~~] filing the report as of the last day of
25 the reporting period:

26 (A) the full name and address of the person or
27 financial institution making the loan; and

1 (B) the full name and address of each guarantor
2 of the loan other than the candidate or officeholder.

3 SECTION 61. Section 254.063, Election Code, is amended to
4 read as follows:

5 Sec. 254.063. SEMIANNUAL REPORTING SCHEDULE FOR PRINCIPAL
6 POLITICAL COMMITTEE OF CANDIDATE. (a) The principal political
7 committee of a [A] candidate shall file two reports for each year as
8 provided by this section.

9 (b) The first report shall be filed not later than July 15.
10 The report covers the period beginning January 1, the day the
11 principal political committee's [candidate's] campaign treasurer
12 appointment is filed, or the first day after the period covered by
13 the last report required to be filed under this subchapter, as
14 applicable, and continuing through June 30.

15 (c) The second report shall be filed not later than January
16 15. The report covers the period beginning July 1, the day the
17 principal political committee's [candidate's] campaign treasurer
18 appointment is filed, or the first day after the period covered by
19 the last report required to be filed under this subchapter, as
20 applicable, and continuing through December 31.

21 SECTION 62. The heading to Section 254.064, Election Code,
22 is amended to read as follows:

23 Sec. 254.064. ADDITIONAL REPORTS OF PRINCIPAL POLITICAL
24 COMMITTEE OF OPPOSED CANDIDATE.

25 SECTION 63. Sections 254.064(a), (b), (d), and (e),
26 Election Code, are amended to read as follows:

27 (a) In addition to other required reports, for each

1 election in which a person is a candidate and has an opponent whose
2 name is to appear on the ballot, the person's principal political
3 committee [~~person~~] shall file two reports.

4 (b) The first report shall be filed not later than the 30th
5 day before election day. The report covers the period beginning the
6 day the principal political committee's [~~candidate's~~] campaign
7 treasurer appointment is filed or the first day after the period
8 covered by the last report required to be filed under this chapter,
9 as applicable, and continuing through the 40th day before election
10 day.

11 (d) If a person becomes an opposed candidate after a
12 reporting period prescribed by Subsection (b) or (c), the person's
13 principal political committee [~~person~~] shall file the committee's
14 [~~person's~~] first report not later than the regular deadline for the
15 report covering the period during which the person becomes an
16 opposed candidate. The period covered by the first report begins
17 the day the committee's [~~candidate's~~] campaign treasurer
18 appointment is filed.

19 (e) In addition to other required reports, the principal
20 political committee of an opposed candidate in a runoff election
21 shall file one report for that election. The runoff election report
22 shall be filed not later than the eighth day before runoff election
23 day. The report covers the period beginning the ninth day before
24 the date of the main election and continuing through the 10th day
25 before runoff election day.

26 SECTION 64. Sections 254.065 and 254.066, Election Code,
27 are amended to read as follows:

1 Sec. 254.065. FINAL REPORT. (a) If the principal
2 political committee of a candidate expects no reportable activity
3 in connection with the candidacy to occur after the period covered
4 by a report filed under this subchapter, the committee [~~candidate~~]
5 may designate the report as a "final" report.

6 (b) The designation of a report as a final report:

7 (1) relieves the principal political committee
8 [~~candidate~~] of the duty to file additional reports under this
9 subchapter, except as provided by Subsection (c); and

10 (2) terminates the committee's [~~candidate's~~] campaign
11 treasurer appointment.

12 (c) If, after a principal political committee's
13 [~~candidate's~~] final report is filed, reportable activity with
14 respect to the candidacy occurs, the committee [~~candidate~~] shall
15 file the appropriate reports under this subchapter and is otherwise
16 subject to the provisions of this title applicable to principal
17 political committees of candidates. A report filed under this
18 subsection may be designated as a final report.

19 Sec. 254.066. AUTHORITY WITH WHOM REPORTS
20 FILED. (a) Except as provided by Subsection (b), reports under
21 this subchapter shall be filed with the authority with whom the
22 principal political committee's [~~candidate's~~] campaign treasurer
23 appointment is required to be filed.

24 (b) A report required to be filed under this subchapter by
25 the principal political committee of a candidate for a judicial
26 district office filled by voters of only one county shall also be
27 filed with the county clerk.

1 SECTION 65. Sections 254.091-254.092, Election Code, are
2 amended to read as follows:

3 Sec. 254.091. ADDITIONAL CONTENTS OF REPORTS. In addition
4 to the contents required by Section 254.031, each report by the
5 principal political committee of an officeholder must include:

6 (1) the officeholder's full name and address and the
7 office held;

8 (2) for each political committee from which the
9 officeholder received notice under Section 254.128 or 254.161:

10 (A) the committee's full name and address;

11 (B) an indication of whether the committee is a
12 general-purpose committee or a specific-purpose committee; ~~and~~

13 (C) the full name and address of the committee's
14 campaign treasurer; and

15 (D) the amount of each political contribution or
16 political expenditure; and

17 (3) on a separate page or pages of the report, the
18 identification of any payment from political contributions made to
19 a business in which the officeholder has a participating interest
20 of more than 10 percent, holds a position on the governing body of
21 the business, or serves as an officer of the business.

22 Sec. 254.0911. ADDITIONAL CONTENTS OF REPORTS BY PRINCIPAL
23 POLITICAL COMMITTEE OF CERTAIN JUDICIAL OFFICEHOLDERS. In
24 addition to the contents required by Sections 254.031 and 254.091,
25 each report by the principal political committee of a holder of a
26 judicial office covered by Subchapter F, Chapter 253, must include
27 the contents prescribed by Section 254.0611.

1 Sec. 254.092. CERTAIN OFFICEHOLDER EXPENDITURES
2 EXCLUDED. The principal political committee of an [~~An~~]
3 officeholder is not required to report officeholder expenditures
4 made from the officeholder's personal funds, except as provided by
5 Section 253.035(h).

6 SECTION 66. The heading to Section 254.093, Election Code,
7 is amended to read as follows:

8 Sec. 254.093. SEMIANNUAL REPORTING SCHEDULE FOR PRINCIPAL
9 POLITICAL COMMITTEE OF OFFICEHOLDER.

10 SECTION 67. Section 254.093(a), Election Code, is amended
11 to read as follows:

12 (a) The principal political committee of an [~~An~~]
13 officeholder shall file two reports for each year as provided by
14 this section.

15 SECTION 68. Sections 254.095-254.097, Election Code, are
16 amended to read as follows:

17 Sec. 254.095. REPORT NOT REQUIRED. If at the end of any
18 reporting period prescribed by this subchapter the principal
19 political committee of an officeholder who is required to file a
20 report with an authority other than the commission has not accepted
21 political contributions that in the aggregate exceed \$500 or made
22 political expenditures that in the aggregate exceed \$500, the
23 committee [~~officeholder~~] is not required to file a report covering
24 that period.

25 Sec. 254.096. OFFICEHOLDER WHO BECOMES CANDIDATE. The
26 principal political committee of an [~~An~~] officeholder who becomes a
27 candidate is subject to Subchapter C during each period covered by a

1 report required to be filed under Subchapter C.

2 Sec. 254.097. AUTHORITY WITH WHOM REPORTS
3 FILED. (a) Except as provided by Subsection (b), reports under
4 this subchapter shall be filed with the authority with whom the
5 principal political committee's [a] campaign treasurer appointment
6 [~~by a candidate for the office held by the officeholder~~] is required
7 to be filed.

8 (b) A report required to be filed under this subchapter by
9 the principal political committee of a holder of a judicial
10 district office filled by voters of only one county shall also be
11 filed with the county clerk.

12 SECTION 69. Section 254.121, Election Code, is amended to
13 read as follows:

14 Sec. 254.121. ADDITIONAL CONTENTS OF REPORTS. In addition
15 to the contents required by Section 254.031, each report by a
16 campaign treasurer of a specific-purpose committee must include:

17 (1) the committee's full name and address;

18 (2) the full name, residence or business street
19 address, and telephone number of the committee's campaign
20 treasurer;

21 (3) the identity and date of the election for which the
22 report is filed, if applicable;

23 (4) the name of each candidate and each measure
24 supported or opposed by the committee, indicating for each whether
25 the committee supports or opposes;

26 (5) the name of each officeholder assisted by the
27 committee;

1 (6) the amount of each political expenditure in the
2 form of a political contribution that is made to [~~a candidate,~~
3 ~~officeholder, or~~] another political committee and that is returned
4 to the committee during the reporting period, the name of the
5 committee [~~person~~] to whom the expenditure was originally made, and
6 the date it is returned;

7 (7) on a separate page or pages of the report, the
8 identification of any payment from political contributions made to
9 a business in which a [~~the~~] candidate or officeholder supported or
10 assisted by the committee has a participating interest of more than
11 10 percent, holds a position on the governing body of the business,
12 or serves as an officer of the business; and

13 (8) on a separate page or pages of the report, the
14 identification of any contribution from a corporation or labor
15 organization made and accepted under Subchapter D, Chapter 253.

16 SECTION 70. The heading to Section 254.126, Election Code,
17 is amended to read as follows:

18 Sec. 254.126. DISSOLUTION REPORT OF COMMITTEE FOR ASSISTING
19 OFFICEHOLDERS [~~OFFICEHOLDER~~].

20 SECTION 71. Section 254.126(a), Election Code, is amended
21 to read as follows:

22 (a) If a specific-purpose committee for assisting only
23 officeholders [~~an officeholder~~] expects no reportable activity to
24 occur after the period covered by a report filed under this
25 subchapter, the committee's campaign treasurer may designate the
26 report as a "dissolution" report.

27 SECTION 72. Section 254.128, Election Code, is amended by

1 amending Subsections (a) and (b) and adding Subsection (b-1) to
2 read as follows:

3 (a) If a specific-purpose committee accepts political
4 contributions or makes political expenditures for a candidate or
5 officeholder, the committee's campaign treasurer shall deliver
6 written notice of that fact to the principal political committee of
7 the affected candidate or officeholder not later than the end of the
8 period covered by the report in which the reportable activity
9 occurs.

10 (b) The notice must include:

11 (1) the full name and address of the political
12 committee and its campaign treasurer;

13 (2) ~~and~~ an indication that the committee is a
14 specific-purpose committee; and

15 (3) the amount of each political contribution accepted
16 or political expenditure made.

17 (b-1) For purposes of the notice required by this section, a
18 specific-purpose committee that makes a political expenditure that
19 benefits more than one candidate or officeholder shall, in
20 compliance with rules adopted by the commission, allocate a portion
21 of the expenditure to each candidate or officeholder whom the
22 expenditure benefits in proportion to the benefit received by the
23 candidate or officeholder. For purposes of this subsection:

24 (1) a political expenditure for supporting a candidate
25 or assisting an officeholder benefits each candidate or
26 officeholder supported or assisted; and

27 (2) a political expenditure for opposing a candidate

1 benefits each opponent of the candidate.

2 SECTION 73. Section 254.151, Election Code, is amended to
3 read as follows:

4 Sec. 254.151. ADDITIONAL CONTENTS OF REPORTS. In addition
5 to the contents required by Section 254.031, each report by a
6 campaign treasurer of a general-purpose committee must include:

7 (1) the committee's full name and address;

8 (2) the full name, residence or business street
9 address, and telephone number of the committee's campaign
10 treasurer;

11 (3) the identity and date of the election for which the
12 report is filed, if applicable;

13 (4) the name of each identified candidate or measure
14 or classification by party of candidates supported or opposed by
15 the committee, indicating whether the committee supports or opposes
16 each listed candidate, measure, or classification by party of
17 candidates;

18 (5) the name of each identified officeholder or
19 classification by party of officeholders assisted by the committee;

20 (6) the principal occupation of each person from whom
21 political contributions that in the aggregate exceed \$100 [~~\$50~~] are
22 accepted during the reporting period;

23 (7) the amount of each political expenditure in the
24 form of a political contribution made to [~~a candidate,~~
25 ~~officeholder, or~~] another political committee that is returned to
26 the committee during the reporting period, the name of the
27 committee [~~person~~] to whom the expenditure was originally made, and

1 the date it is returned; and

2 (8) on a separate page or pages of the report, the
3 identification of any contribution from a corporation or labor
4 organization made and accepted under Subchapter D, Chapter 253.

5 SECTION 74. Subchapter F, Chapter 254, Election Code, is
6 amended by adding Sections 254.1511 and 254.1512 to read as
7 follows:

8 Sec. 254.1511. REPORTS BY PRINCIPAL POLITICAL COMMITTEE OF
9 POLITICAL PARTY; ADDITIONAL CONTENTS. (a) Each report by the
10 principal political committee of the state executive committee of a
11 political party must list the political contributions and political
12 expenditures made in connection with each candidate or officeholder
13 on a separate schedule.

14 (b) In addition to the contents required by Sections 254.031
15 and 254.151, each report by the principal political committee of
16 the state executive committee of a political party must include,
17 for each candidate or officeholder for whose benefit the committee
18 makes a political contribution or political expenditure in the
19 calendar year:

20 (1) the total amount of political contributions made
21 during the calendar year to the principal political committee of
22 the candidate or officeholder; and

23 (2) the total amount of political expenditures made
24 during the calendar year for the benefit of the candidate or
25 officeholder.

26 Sec. 254.1512. CONTENTS OF REPORTS OF FEDERALLY REGISTERED
27 COMMITTEE. (a) This section applies only to a general-purpose

1 committee that is registered under Subchapter I, Chapter 14, Title
2 2, United States Code.

3 (b) Each report by the campaign treasurer of a
4 general-purpose committee to which this section applies must
5 include the contents required by Sections 254.031 and 254.151,
6 except as provided by this section.

7 (c) Instead of the information required by Sections
8 254.031(a)(1)-(4) and (6), the committee's report must include:

9 (1) for each political contribution accepted during
10 the reporting period by the committee that, when aggregated with
11 each other political contribution accepted by the committee during
12 the calendar year from the person making the contribution, exceeds
13 \$200:

14 (A) the amount of the contribution;

15 (B) the full name and address and principal
16 occupation of the person making the contribution;

17 (C) the full name of the person's employer, if
18 any; and

19 (D) the date of the contribution;

20 (2) for each loan made during the reporting period to
21 the committee for campaign purposes that, when aggregated with each
22 other loan made to the committee during the calendar year by the
23 person making the loan, exceeds \$200:

24 (A) the amount of the loan;

25 (B) the full name and address of the person or
26 financial institution making the loan;

27 (C) the date of the loan;

1 (D) the interest rate;

2 (E) the maturity date;

3 (F) the type of collateral for the loan, if any;

4 (G) the full name and address, principal
5 occupation, and name of the employer of each guarantor of the loan;
6 and

7 (H) the amount of the loan guaranteed by each
8 guarantor;

9 (3) for each political expenditure made during the
10 reporting period by the committee that, when aggregated with each
11 other political expenditure made by the committee during the
12 calendar year to the person, exceeds \$200:

13 (A) the amount of the expenditure;

14 (B) the full name and address of the person to
15 whom the expenditure is made; and

16 (C) the date of the expenditure; and

17 (4) the total amount or a specific listing of the
18 political contributions of \$200 or less accepted and the total
19 amount of political expenditures of \$200 or less made during the
20 reporting period.

21 (d) The committee's report must also include the aggregate
22 principal amount of all outstanding loans as of the last day of the
23 reporting period.

24 (e) The committee's report need not include the amount of a
25 payment that is reported as a contribution under Subchapter I,
26 Chapter 14, Title 2, United States Code.

27 (f) Section 254.156 does not apply to a committee to which

1 this section applies.

2 (g) Notwithstanding Section 571.065, Government Code, a
3 committee to which this section applies may report the information
4 required by Subsections (c) and (d) on a form adopted or accepted by
5 the Federal Elections Commission.

6 SECTION 75. Section 254.156, Election Code, is amended to
7 read as follows:

8 Sec. 254.156. CONTENTS OF MONTHLY REPORTS. Each monthly
9 report filed under this subchapter must comply with Sections
10 254.031, 254.0312, and 254.151, except that:

11 (1) the maximum amount of a political contribution,
12 expenditure, or loan that is not required to be individually
13 reported is \$20 [~~\$10~~] in the aggregate; and

14 (2) the maximum amount of a political contribution
15 from an individual for which the information described by Sections
16 254.031(a)(2)(A) and (B) is not required is \$200 in the aggregate.

17 SECTION 76. Subchapter F, Chapter 254, Election Code, is
18 amended by adding Section 254.164 to read as follows:

19 Sec. 254.164. CRIMINAL PENALTY FOR INTENTIONAL FAILURE TO
20 FILE COMPLETE REPORT. (a) A general-purpose committee that is
21 required by this chapter to file a report commits an offense if the
22 committee intentionally fails:

23 (1) to file the report on time; or

24 (2) to include in the report information that is:

25 (A) required by this title to be included; and

26 (B) material to a complete understanding of the
27 committee's reportable activity under this title.

1 (b) An offense under this section is a Class B misdemeanor.

2 SECTION 77. Section 254.181(a), Election Code, is amended
3 to read as follows:

4 (a) The principal political committee of an [An] opposed
5 candidate or a specific-purpose committee required to file reports
6 under Subchapter C or E may file a report under this subchapter
7 instead if the [~~candidate or~~] committee does not intend to accept
8 political contributions that in the aggregate exceed \$500 or to
9 make political expenditures that in the aggregate exceed \$500 in
10 connection with the election.

11 SECTION 78. Section 254.182, Election Code, is amended to
12 read as follows:

13 Sec. 254.182. DECLARATION OF INTENT REQUIRED. (a) To be
14 entitled to file reports under this subchapter, the principal
15 political committee of an opposed candidate or a specific-purpose
16 committee must file with the campaign treasurer appointment a
17 written declaration of intent not to exceed \$500 in political
18 contributions or political expenditures in the election.

19 (b) The declaration of intent must contain a statement that
20 the [~~candidate or~~] committee understands that if the \$500 maximum
21 for contributions and expenditures is exceeded, the [~~candidate or~~]
22 committee is required to file reports under Subchapter C or E, as
23 applicable.

24 SECTION 79. Sections 254.183(a), (b), and (d), Election
25 Code, are amended to read as follows:

26 (a) The principal political committee of an [An] opposed
27 candidate or a specific-purpose committee that exceeds \$500 in

1 political contributions or political expenditures in the election
2 shall file reports as required by Subchapter C or E, as applicable.

3 (b) If a [~~candidate or~~] committee exceeds the \$500 maximum
4 after the filing deadline prescribed by Subchapter C or E for the
5 first report required to be filed under the appropriate subchapter,
6 the [~~candidate or~~] committee shall file a report not later than 48
7 hours after the maximum is exceeded.

8 (d) The reporting period for the next report filed by the
9 [~~candidate or~~] committee begins on the day after the last day of the
10 period covered by the report filed under Subsection (b).

11 SECTION 80. Section 254.184, Election Code, is amended to
12 read as follows:

13 Sec. 254.184. APPLICABILITY OF REGULAR REPORTING
14 REQUIREMENTS. (a) Subchapter C or E, as applicable, applies to
15 the principal political committee of an opposed candidate or a
16 specific-purpose committee filing under this subchapter to the
17 extent that the appropriate subchapter does not conflict with this
18 subchapter.

19 (b) A [~~candidate or~~] committee filing under this subchapter
20 is not required to file any reports of political contributions and
21 political expenditures other than the semiannual reports required
22 to be filed not later than July 15 and January 15.

23 SECTION 81. Section 254.201(a), Election Code, is amended
24 to read as follows:

25 (a) This section applies to:

26 (1) a former officeholder who has unexpended political
27 contributions after the officeholder's principal political

1 committee files [~~filing~~] the last report required to be filed by
2 Subchapter D; or

3 (2) a person who was an unsuccessful candidate who has
4 unexpended political contributions after the candidate's principal
5 political committee files [~~filing~~] the last report required to be
6 filed by Subchapter C.

7 SECTION 82. Section 254.203(a), Election Code, is amended
8 to read as follows:

9 (a) A person may not retain political contributions covered
10 by this title, assets purchased with the contributions, or interest
11 and other income earned on the contributions for more than six years
12 after the later of:

13 (1) the date the person [~~either~~] ceases to be an
14 officeholder; or

15 (2) the date of the most recent election in which the
16 person was a candidate [~~or files a final report under this chapter,~~
17 ~~whichever is later~~].

18 SECTION 83. Sections 254.204(a) and (d), Election Code,
19 are amended to read as follows:

20 (a) At the end of the [~~six-year~~] period prescribed by
21 Section 254.203, the former officeholder or candidate shall remit
22 any unexpended political contributions to one or more of the
23 following:

24 (1) the political party with which the person was
25 affiliated when the person's name last appeared on a ballot;

26 (2) a [~~candidate or~~] political committee;

27 (3) the comptroller [~~of public accounts~~] for deposit

1 in the state treasury [~~State Treasury~~];

2 (4) one or more persons from whom political
3 contributions were received, in accordance with Subsection (d);

4 (5) a recognized tax-exempt, charitable organization
5 formed for educational, religious, or scientific purposes; [~~or~~]

6 (6) a public or private postsecondary educational
7 institution or an institution of higher education as defined by
8 Section 61.003 [~~61.003(8)~~], Education Code, solely for the purpose
9 of assisting or creating a scholarship program; or

10 (7) the commission for deposit in the fair campaign
11 spending fund under Section 251.034.

12 (d) The amount of political contributions disposed of under
13 Subsection (a)(4) to one person may not exceed the aggregate amount
14 accepted from that person during the last two years that the
15 principal political committee of the candidate or officeholder
16 accepted contributions under this title.

17 SECTION 84. Section 254.205(a), Election Code, is amended
18 to read as follows:

19 (a) Not later than the 30th day after the date the
20 [~~six-year~~] period prescribed by Section 254.203 ends, the person
21 required to dispose of unexpended political contributions shall
22 file a report of the disposition.

23 SECTION 85. Section 254.231(b), Election Code, is amended
24 to read as follows:

25 (b) The principal political committee of each [~~Each~~]
26 opposing candidate whose name appears on the ballot is entitled to
27 recover damages under this section.

1 SECTION 86. Section 255.001(a), Election Code, is amended
2 to read as follows:

3 (a) A person may not knowingly enter into a contract or
4 other agreement to print, copy, publish, or broadcast political
5 advertising that does not indicate in the advertising:

6 (1) that it is political advertising; and

7 (2) the full name and address of:

8 (A) [either] the individual who caused the
9 advertising to be printed, copied, published, or broadcast;

10 (B) the campaign treasurer of the candidate,
11 officeholder, or political committee on whose behalf the
12 advertising is printed, copied, published, or broadcast; or

13 (C) the candidate, officeholder, or political
14 committee on whose behalf the advertising is printed, copied,
15 published, or broadcast [~~personally entered into the contract or~~
16 ~~agreement with the printer, publisher, or broadcaster or the person~~
17 ~~that individual represents, and~~

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

22 SECTION 87. Chapter 255, Election Code, is amended by
23 adding Sections 255.009-255.011 to read as follows:

24 Sec. 255.009. DISCLOSURE ON POLITICAL ADVERTISING
25 CONCERNING CERTAIN UNPAID CIVIL PENALTIES. (a) Political
26 advertising by a person who fails to pay a civil penalty imposed by
27 the commission for a violation of this title must, in addition to

1 any other disclosure required under this chapter, include the
2 following statement: "(Name of candidate or committee) has failed
3 to pay a civil penalty imposed by the Texas Ethics Commission for a
4 violation of Title 15, Election Code."

5 (b) The commission shall adopt rules providing for:

6 (1) the minimum size of the disclosure required by
7 this section in political advertising that appears on television or
8 in writing; and

9 (2) the minimum duration of the disclosure required by
10 this section in political advertising that appears on television or
11 radio.

12 (c) Subsection (a) does not apply to a civil penalty
13 imposed by the commission that is the subject of an appeal under
14 Section 571.133, Government Code.

15 (d) A person who violates this section commits an offense.
16 An offense under this section is a Class B misdemeanor.

17 Sec. 255.010. RESTRICTIONS ON CERTAIN TELEPHONE
18 ADVERTISING AND POLLING. (a) Not later than 24 hours after the time
19 a person begins to conduct a telephone advertising campaign or poll
20 in connection with a campaign for an office for which a campaign
21 treasurer appointment must be filed with the commission, other than
22 an office described by Section 252.005(5), the person shall file
23 with the commission the script that will be used in conducting the
24 advertising campaign or poll. The commission may not take any
25 action in connection with a script filed under this subsection
26 other than making the script available to the public on request.

27 (b) This section applies only to a telephone advertising

1 campaign or poll conducted by a person that is:

2 (1) affiliated or aligned with a candidate, political
3 committee, political party, or campaign consultant; or

4 (2) compensated by a candidate, political committee,
5 political party, or campaign consultant for conducting the
6 advertising campaign or poll.

7 (c) A person who violates this section commits an offense.

8 An offense under this section is a Class B misdemeanor.

9 Sec. 255.011. FURNISHING EARLY VOTING BALLOT WITH CAMPAIGN
10 COMMUNICATION OR POLITICAL ADVERTISING PROHIBITED; EXCEPTION. (a)
11 A person may not knowingly furnish to another person an application
12 for an early voting ballot to be voted by mail that is part of or
13 included with a campaign communication or political advertising.

14 (b) Subsection (a) does not apply to an application for an
15 early voting ballot that is furnished by:

16 (1) an individual, candidate, or officeholder not
17 working in concert with another person; or

18 (2) the principal political committee of the state
19 executive committee or a county executive committee of a political
20 party.

21 (c) A person who violates this section commits an offense.

22 An offense under this section is a Class B misdemeanor.

23 SECTION 88. Sections 251.005, 252.0031(b), 253.031(e),
24 253.032, 253.036, 253.042(a) and (g), 254.001(a), and 254.0401(b)
25 and (c), Election Code, are repealed.

26 SECTION 89. (a) Not later than September 15, 2003, each
27 person who on September 1, 2003, is a candidate, as that term is

1 defined in Section 251.001, Election Code, or an officeholder
2 covered by Title 15, Election Code, shall designate a principal
3 political committee as required by Section 251.010, Election Code,
4 as added by this Act.

5 (b) Not later than the 15th day after the date a candidate or
6 officeholder designates a principal political committee as
7 required by Subsection (a) of this section, the person shall
8 transfer to the committee each asset that the person holds in the
9 person's capacity as a candidate or officeholder.

10 (c) Not later than the 15th day after the date a candidate or
11 officeholder designates a principal political committee as
12 required by Subsection (a) of this section, the committee shall
13 assume each liability of the person in the person's capacity as a
14 candidate or officeholder.

15 SECTION 90. (a) Section 253.031, Election Code, as amended
16 by this Act, applies only to a political contribution accepted or
17 political expenditure made by an out-of-state political committee,
18 as that term is defined by Section 251.001, Election Code, on or
19 after September 1, 2003. A political contribution accepted or a
20 political expenditure made by an out-of-state political committee
21 before September 1, 2003, is governed by the law in effect at the
22 time the contribution was accepted or expenditure was made, and the
23 former law is continued in effect for that purpose.

24 (b) Sections 253.042 and 253.162, Election Code, as amended
25 by this Act, apply only to repayment of a loan or extension of
26 credit that is made on or after September 1, 2003. The repayment of
27 a loan or extension of credit that was made before September 1,

1 2003, is governed by the law in effect on the date the loan or
2 extension of credit was made, and the former law is continued in
3 effect for that purpose.

4 (c) Sections 253.043 and 253.044, Election Code, as added by
5 this Act, apply only to a political contribution accepted on or
6 after September 1, 2003. A political contribution accepted before
7 September 1, 2003, is governed by the law in effect at the time the
8 contribution was accepted, and the former law is continued in
9 effect for that purpose.

10 (d) Chapter 254, Election Code, as amended by this Act,
11 applies only to the reporting of a political contribution accepted
12 or political expenditure made on or after September 1, 2003. The
13 reporting of a political contribution accepted or a political
14 expenditure made before that date is governed by the law in effect
15 at the time the contribution or expenditure was accepted or made,
16 and the former law is continued in effect for that purpose.

17 (e) Subchapter H, Chapter 254, Election Code, as amended by
18 this Act, applies only to a person who is a candidate, as that term
19 is defined by Section 251.001, Election Code, or an officeholder
20 subject to Title 15, Election Code, on September 1, 2003. A person
21 who is a former candidate or former officeholder on September 1,
22 2003, is subject to Subchapter H, Chapter 254, Election Code, as
23 that subchapter existed immediately before amendment by this Act,
24 and the former law is continued in effect for that purpose.

25 (f) Notwithstanding Section 254.203, Election Code, as that
26 section existed before amendment by this Act, a person who ceased to
27 be an officeholder or who was last a candidate in an election before

1 September 1, 1997, shall, not later than January 1, 2004, dispose of
2 unexpended political contributions, assets purchased with
3 political contributions, and interest or other income earned on
4 political contributions in compliance with Section 254.203,
5 Election Code, as amended by this Act. A person who ceased to be an
6 officeholder or candidate on or after September 1, 1997, shall
7 dispose of unexpended political contributions, assets purchased
8 with political contributions, and interest or other income earned
9 on political contributions in compliance with Section 254.203,
10 Election Code, as amended by this Act, regardless of whether the
11 person has filed a final report under Chapter 254, Election Code.

12 (g) The changes in law made to Sections 254.041, 254.128,
13 254.161, and 255.001, Election Code, by this Act apply only to an
14 offense committed on or after September 1, 2003. For the purposes
15 of this section, an offense is committed before September 1, 2003,
16 if any element of the offense occurs before that date.

17 (h) An offense under Section 253.042, 254.041, 254.128,
18 254.161, or 255.001, Election Code, that is committed before
19 September 1, 2003, is covered by the law in effect when the offense
20 was committed, and the former law is continued in effect for that
21 purpose.

22 SECTION 91. This Act takes effect September 1, 2003.