

By: Gallego

H.B. No. 1583

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the regulation of political contributions to certain
3 judicial candidates.

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

5 SECTION 1. Section 253.153, Election Code, is amended by
6 amending Subsections (a) and (c) and adding Subsection (b-1) to
7 read as follows:

8 (a) A judicial candidate or officeholder, a
9 specific-purpose committee for supporting or opposing a judicial
10 candidate, or a specific-purpose committee for assisting a judicial
11 officeholder may not knowingly accept a political contribution
12 except during the period:

13 (1) beginning on:

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

18 (B) the later of the 210th day before the date an
19 application for a place on the ballot or for nomination by
20 convention for the office is required to be filed or the date a
21 vacancy in the office occurs, if the election is for an unexpired
22 term; and

23 (2) except as provided by Subsection (c), ending on
24 the 120th day after the date [~~of~~]:

1 (A) of the general election for state and county
2 officers, if the candidate or officeholder has an opponent in the
3 general election;

4 (B) of [~~except as provided by Subsection (c),~~]
5 the runoff primary election, if the candidate or officeholder is a
6 candidate in the runoff primary election and will [~~does~~] not have an
7 opponent in the general election; [~~or~~]

8 (C) of [~~except as provided by Subsection (c),~~]
9 the general primary election, if the candidate or officeholder has
10 an opponent in the primary election or for nomination by
11 convention, is not a candidate in the runoff primary election, and
12 will [~~does~~] not have an opponent in the general election; or

13 (D) an application for a place on the ballot or
14 for nomination by convention for the office is required to be filed,
15 if the candidate or officeholder:

16 (i) does not have an opponent in the primary
17 election or for nomination by convention; and

18 (ii) will not have an opponent in the
19 general election.

20 (b-1) For purposes of Subsection (a)(2), the determination
21 of whether a judicial candidate will have an opponent in the general
22 election is made on the day after the date an application for a
23 place on the ballot or for nomination by convention for the office
24 is required to be filed.

25 (c) Notwithstanding Subsection (a)(2)(B), (C), or (D)
26 [~~(a)(2)~~], a judicial candidate to whom one of those provisions
27 applies [~~who does not have an opponent whose name will appear on the~~

1 ~~ballet~~] or a specific-purpose committee for supporting such a
2 candidate may accept a political contribution:

3 (1) beginning on the date [after] another person
4 files:

5 (A) a declaration of intent to run as an
6 independent candidate opposing the candidate; or

7 (B) a declaration of write-in candidacy opposing
8 the candidate; and

9 (2) ending on the date specified by Subsection
10 (a)(2)(A).

11 SECTION 2. Section 253.153, Election Code, as amended by
12 this Act, applies only to a political contribution accepted on or
13 after September 1, 2003. A political contribution accepted before
14 September 1, 2003, is governed by the law in effect at the time the
15 contribution was accepted, and the former law is continued in
16 effect for that purpose.

17 SECTION 3. This Act takes effect September 1, 2003.