

By: Brown of Kaufman

H.B. No. 1991

A BILL TO BE ENTITLED

AN ACT

relating to the definition of a contribution for purposes of the regulation and reporting of political contributions.

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

SECTION 1. Sections 251.001(2), (3), and (4), Election Code, are amended to read as follows:

(2) "Contribution" means a direct or indirect transfer of money, goods, services, or any other thing of value ~~[and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer]~~. The term includes a loan or extension of credit, other than those expressly excluded by this subdivision, and a guarantee of a loan or extension of credit, including a loan described by this subdivision. The term does not include:

(A) a loan made in the due course of business by a corporation that is legally engaged in the business of lending money and that has conducted the business continuously for more than one year before the loan is made; or

(B) an expenditure required to be reported under Section 305.006(b), Government Code.

(3) "Campaign contribution" means a contribution to a candidate or political committee that is ~~[offered or]~~ given with the intent that it be used in connection with a campaign for elective office or on a measure. Whether a contribution is made

1 before, during, or after an election does not affect its status as a  
2 campaign contribution.

3 (4) "Officeholder contribution" means a contribution  
4 to an officeholder or political committee that is [~~offered or~~]  
5 given with the intent that it be used to defray expenses that:

6 (A) are incurred by the officeholder in  
7 performing a duty or engaging in an activity in connection with the  
8 office; and

9 (B) are not reimbursable with public money.

10 SECTION 2. This Act takes effect January 1, 2004, and  
11 applies only to a political contribution accepted on or after that  
12 date. A political contribution accepted before January 1, 2004, is  
13 governed by the law in effect at the time the political contribution  
14 was accepted, and the former law is continued in effect for that  
15 purpose.