

By: Hartnett

H.B. No. 2158

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of political contributions to judicial candidates and officeholders.

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

SECTION 1. Subchapter F, Chapter 253, Election Code, is amended by adding Section 253.1621 to read as follows:

Sec. 253.1621. APPLICATION OF CONTRIBUTION AND REIMBURSEMENT LIMITS TO CERTAIN CANDIDATES. (a) For purposes of a contribution limit prescribed by Section 253.155, 253.157, or 253.160 and the limit on reimbursement of personal funds prescribed by Section 253.162, the general primary election and general election for state and county officers are considered to be a single election in which a judicial candidate is involved if the candidate:

(1) is unopposed in the primary election; or

(2) does not have an opponent in the general election whose name is to appear on the ballot.

(b) For a candidate to whom Subsection (a) applies, each applicable contribution limit prescribed by Section 253.155, 253.157, or 253.160 is increased by 25 percent. A candidate who accepts political contributions from a person that in the aggregate exceed the applicable contribution limit prescribed by Section 253.155, 253.157, or 253.160 but that do not exceed the adjusted limit as determined under this subsection may use the amount of those

1 contributions that exceeds the limit prescribed by Section 253.155,
2 253.157, or 253.160 only for making an officeholder expenditure.

3 SECTION 2. Section 253.155(a), Election Code, is amended to
4 read as follows:

5 (a) Subject to Section 253.1621 [~~Except as provided by~~
6 ~~Subsection (c)~~], a judicial candidate or officeholder may not,
7 except as provided by Subsection (c), knowingly accept political
8 contributions from a person that in the aggregate exceed the limits
9 prescribed by Subsection (b) in connection with each election in
10 which the person is involved.

11 SECTION 3. Section 253.157(a), Election Code, is amended to
12 read as follows:

13 (a) Subject to Section 253.1621, a [A] judicial candidate or
14 officeholder [~~or a specific-purpose committee for supporting or~~
15 ~~opposing a judicial candidate~~] may not accept a political
16 contribution in excess of \$50 from a person if:

17 (1) the person is a law firm, a member of a law firm, or
18 a general-purpose committee established or controlled by a law
19 firm; and

20 (2) the contribution when aggregated with all
21 political contributions accepted by the candidate or [7]
22 officeholder [~~, or committee~~] from the law firm, other members of
23 the law firm, or a general-purpose committee established or
24 controlled by the law firm in connection with the election would
25 exceed six times the applicable contribution limit under Section
26 253.155.

27 SECTION 4. Section 253.160(a), Election Code, is amended to

1 read as follows:

2 (a) Subject to Section 253.1621, a [A] judicial candidate or
3 officeholder ~~[or a specific-purpose committee for supporting or~~
4 ~~opposing a judicial candidate or assisting a judicial officeholder]~~
5 may not knowingly accept a political contribution from a
6 general-purpose committee that, when aggregated with each other
7 political contribution from a general-purpose committee in
8 connection with an election, exceeds 15 percent of the applicable
9 limit on expenditures prescribed by Section 253.168, regardless of
10 whether the limit on expenditures is suspended.

11 SECTION 5. Section 253.162(a), Election Code, is amended to
12 read as follows:

13 (a) Subject to Section 253.1621, a [A] judicial candidate or
14 officeholder who makes political expenditures from the person's
15 personal funds may not reimburse the personal funds from political
16 contributions in amounts that in the aggregate exceed, for each
17 election in which the person's name appears on the ballot:

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

19 (2) for an office other than a statewide judicial
20 office, five times the applicable contribution limit under Section
21 253.155.

22 SECTION 6. Sections 253.155, 253.157, 253.160, and 253.162,
23 Election Code, as amended by this Act, and Section 253.1621,
24 Election Code, as added by this Act, apply only to a political
25 contribution accepted on or after September 1, 2003. A political
26 contribution accepted before that date is governed by the law in
27 effect at the time the contribution was accepted and is not

1 aggregated with political contributions accepted on or after that
2 date.

3 SECTION 7. This Act takes effect September 1, 2003.