

By: Madden

H.B. No. 3096

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the penalty for the failure to timely file a report of
3 political contributions and expenditures with the Texas Ethics
4 Commission.

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

6 SECTION 1. Section 254.042(b), Election Code, is amended to
7 read as follows:

8 (b) If a report other than a report under Section
9 254.064(c), 254.124(c), or 254.154(c) or the first report under
10 Section 254.063 or 254.123 that is required to be filed following
11 the general or primary election is determined to be late, the person
12 required to file the report is [~~civilly~~] liable to the state for a
13 civil penalty of \$500 [an amount determined by commission rule, but
14 not to exceed \$100 for each day that the report is late]. If a
15 report under Section 254.064(c), 254.124(c), or 254.154(c) or the
16 first report under Section 254.063 or 254.123 that is required to be
17 filed following the general or primary election is determined to be
18 late, the person required to file the report is liable to the state
19 for a civil penalty of \$500 for the first day the report is late and
20 \$100 for each day thereafter that the report is late. If a report is
21 more than 30 days late, the commission shall issue a warning of
22 liability by registered mail to the person required to file the
23 report. If the penalty is not paid before the 10th day after the
24 date on which the warning is received, the person is liable for a

1 civil penalty in an amount determined by commission rule, but not to
2 exceed \$10,000.

3 SECTION 2. The change in law made by this Act to Section
4 254.042, Election Code, applies only to a report required to be
5 filed with the Texas Ethics Commission on or after September 1,
6 2003. A report filed before that date is governed by the law in
7 effect at the time the report was filed, and the former law is
8 continued in effect for that purpose.

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