

By: Madden

H.B. No. 3096

A BILL TO BE ENTITLED

AN ACT

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

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

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

(b) If a report is determined to be late, the person required to file the report is civilly liable to the state for the ~~[an]~~ amount of ~~[determined by commission rule, but not to exceed]~~ \$100 ~~[for each day that the report is late]~~. If a report is more than seven ~~[30]~~ days late, the person is civilly liable to the state for \$100 for each day after the seventh day that the report is late, except that a penalty imposed under this subsection may not:

(1) exceed a total of \$50,000 for each report; or

(2) be increased after the date on which a person appeals or files an action to dispute a penalty imposed under this subsection ~~[commission shall issue a warning of liability by registered mail to the person required to file the report. If the penalty is not paid before the 10th day after the date on which the warning is received, the person is liable for a penalty in an amount determined by commission rule, but not to exceed \$10,000].~~

SECTION 2. The change in law made by this Act to Section 254.042, Election Code, applies only to a report required to be

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1 filed with the Texas Ethics Commission on or after September 1,
2 2003. A report filed before that date is governed by the law in
3 effect at the time the report was filed, and the former law is
4 continued in effect for that purpose.

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