

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 is determined to be late, the person
9 required to file the report is civilly liable to the state for the
10 ~~[an] amount of [determined by commission rule, but not to exceed]~~
11 \$100 ~~[for each day that the report is late]~~. If a report is more
12 than seven ~~[30]~~ days late, the person is civilly liable to the state
13 for \$100 for each day after the seventh day that the report is late,
14 except that a penalty imposed under this subsection may not:

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

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

23 SECTION 2. The change in law made by this Act to Section
24 254.042, Election Code, applies only to a report required to be

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.