

By: West

S.B. No. 244

A BILL TO BE ENTITLED

AN ACT

relating to the making of political contributions to or the acceptance of political contributions by the governor during the period in which the governor may veto a bill.

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

SECTION 1. Section 253.034, Election Code, is amended to read as follows:

Sec. 253.034. RESTRICTIONS ON CONTRIBUTIONS DURING AND FOLLOWING REGULAR LEGISLATIVE SESSION. (a) During the period beginning on the 30th day before the date a regular legislative session convenes and continuing through the day of final adjournment, a person may not knowingly make a political contribution to:

(1) a statewide officeholder;

(2) a member of the legislature; or

(3) a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature.

(b) During the period beginning on the day after a regular legislative session adjourns and continuing through the last day on which the governor may veto a bill enacted during the regular legislative session, a person may not knowingly make a political contribution to:

(1) the governor; or

1 (2) a specific-purpose committee for supporting,
2 opposing, or assisting the governor.

3 (c) A statewide officeholder, a member of the legislature,
4 or a specific-purpose committee for supporting, opposing, or
5 assisting a statewide officeholder or member of the legislature may
6 not knowingly accept a political contribution, and shall refuse a
7 political contribution that is received, during the period
8 prescribed by Subsection (a).

9 (d) The governor or a specific-purpose committee for
10 supporting, opposing, or assisting the governor may not knowingly
11 accept a political contribution, and shall refuse a political
12 contribution that is received, during the period prescribed by
13 Subsection (b).

14 (e) A political contribution that is received and refused
15 during the [that] period prescribed by Subsection (a) or (b) shall
16 be returned to the contributor not later than the 30th day after the
17 date of receipt. A contribution made by mail is not considered
18 received during the [that] period prescribed by Subsection (a) or
19 (b) if it was placed with postage prepaid and properly addressed in
20 the United States mail before the beginning of the period. The date
21 indicated by the post office cancellation mark is considered to be
22 the date the contribution was placed in the mail unless proven
23 otherwise.

24 (f) [~~to~~] This section does not apply to a political
25 contribution that was made and accepted with the intent that it be
26 used:

27 (1) in an election held or ordered during the period

1 prescribed by Subsection (a) or (b) in which the person on whose
2 behalf [~~accepting~~] the contribution is accepted is a candidate if
3 the contribution was made after the person appointed a campaign
4 treasurer with the appropriate authority and before the person was
5 sworn in for that office;

6 (2) to defray expenses incurred in connection with an
7 election contest; or

8 (3) by a person who holds a statewide [~~state~~] office or
9 a member of the legislature if the person or member was defeated at
10 the general election held immediately before the session is
11 convened or by a specific-purpose political committee that supports
12 or assists only that person or member.

13 (g) [~~(d)~~] This section does not apply to a political
14 contribution made to or accepted by a holder of an office to which
15 Subchapter F applies.

16 (h) [~~(e)~~] A person who violates this section commits an
17 offense. An offense under this section is a Class A misdemeanor.

18 SECTION 2. Section 253.034, Election Code, as amended by
19 this Act, applies only to a political contribution made or accepted
20 on or after the effective date of this Act. A political
21 contribution made or accepted before the effective date of this Act
22 is governed by the law in effect on the date the contribution is
23 made or accepted, and the former law is continued in effect for that
24 purpose.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2003.