

By: Staples

S.B. No. 1850

A BILL TO BE ENTITLED

AN ACT

relating to civil penalties for violations of certain reporting requirements relating to political contributions and expenditures.

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

SECTION 1. Section 254.042, Election Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b-1), if ~~if~~ a report is determined to be late, the person required to file the report is ~~[civilly]~~ liable to the state for a civil penalty in an amount determined by commission rule, but not to exceed \$100 for each day that the report is late. If a report is more than 30 days late, the 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 civil penalty in an amount determined by commission rule, but not to exceed \$10,000.

(b-1) This subsection applies only to a report required in connection with an election to a statewide office or the legislature. If a report under Section 254.064(c), 254.124(c), or 254.154(c) is determined to be late, the person required to file the report is liable to the state for a civil penalty of \$1,000 for each day that the report is late. If a report under Section 254.038 or 254.039 is determined to be late, the person required to file the

1 report is liable to the state for a civil penalty of \$10,000 for  
2 each day that the report is late.

3       SECTION 2.   Section 254.042(b), Election Code, as amended by  
4 this Act, applies only to a civil penalty imposed for a late report  
5 under Chapter 254, Election Code, that is required to be filed on or  
6 after September 1, 2003. A civil penalty imposed for a late report  
7 under Chapter 254, Election Code, that is required to be filed  
8 before September 1, 2003, is governed by the law in effect on the  
9 date the report was required to be filed, and the former law is  
10 continued in effect for that purpose.

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