

By: Hochberg

H.B. No. 350

A BILL TO BE ENTITLED

AN ACT

relating to the filing of certain reports of political contributions and expenditures.

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

SECTION 1. The heading to Section 254.038, Election Code, is amended to read as follows:

Sec. 254.038. SPECIAL [~~TELEGRAM~~] REPORT NEAR ELECTION BY CERTAIN CANDIDATES AND POLITICAL COMMITTEES.

SECTION 2. Sections 254.038(c) and (d), Election Code, are amended to read as follows:

(c) A report under this section shall be filed electronically, by telegram or telephonic facsimile machine, or by hand, in the form required by Section 254.036. The [with the] commission must receive the report not later than 5 p.m. of the first business day after the date the contribution is accepted. A report under this section is not required to be accompanied by the affidavit required under Section 254.036(h) or to be submitted on a form prescribed by the commission. A report under this section that complies with Section 254.036(a) must be accompanied by an affidavit under Section 254.036(c)(1) unless the candidate or committee has submitted an affidavit under Section 254.036(c)(1) with another report filed in connection with the election for which a report is required under this section.

(d) To the extent of a conflict between this section and

1 Section 254.036, this section controls [~~does not apply to a report~~
2 ~~required by this section~~].

3 SECTION 3. The heading to Section 254.039, Election Code,
4 is amended to read as follows:

5 Sec. 254.039. SPECIAL [~~TELEGRAM~~] REPORT NEAR ELECTION BY
6 CERTAIN GENERAL-PURPOSE COMMITTEES.

7 SECTION 4. Sections 254.039(a) and (c), Election Code, are
8 amended to read as follows:

9 (a) In addition to other reports required by this chapter, a
10 general-purpose committee that makes direct campaign expenditures
11 supporting or opposing either a single candidate that in the
12 aggregate exceed \$1,000 or a group of candidates that in the
13 aggregate exceed \$15,000 during the period beginning the ninth day
14 before election day and ending at 12 noon on the second day before
15 election day shall file a report electronically, by telegram or
16 telephonic facsimile machine, or by hand, in the form required by
17 Section 254.036. The [~~with the~~] commission must receive the report
18 not later than 48 hours after the expenditure is made. A report
19 under this section is not required to be accompanied by the
20 affidavit required under Section 254.036(h) or to be submitted on a
21 form prescribed by the commission. A report under this section that
22 complies with Section 254.036(a) must be accompanied by an
23 affidavit under Section 254.036(c)(1) unless the committee has
24 submitted an affidavit under Section 254.036(c)(1) with another
25 report filed in connection with the election for which a report is
26 required under this section.

27 (c) To the extent of a conflict between this section and

1 Section 254.036, this section controls [~~does not apply to a report~~
2 ~~required by this section~~].

3 SECTION 5. This Act takes effect October 1, 2005.