

1-1 By: Hochberg (Senate Sponsor - Duncan) H.B. No. 350  
1-2 (In the Senate - Received from the House March 29, 2005;  
1-3 March 30, 2005, read first time and referred to Committee on State  
1-4 Affairs; May 6, 2005, reported favorably by the following vote:  
1-5 Yeas 9, Nays 0; May 6, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the filing of certain reports of political  
1-9 contributions and expenditures.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. The heading to Section 254.038, Election Code,  
1-12 is amended to read as follows:

1-13 Sec. 254.038. SPECIAL [TELEGRAM] REPORT NEAR ELECTION BY  
1-14 CERTAIN CANDIDATES AND POLITICAL COMMITTEES.

1-15 SECTION 2. Sections 254.038(c) and (d), Election Code, are  
1-16 amended to read as follows:

1-17 (c) A report under this section shall be filed  
1-18 electronically, by telegram or telephonic facsimile machine, or by  
1-19 hand, in the form required by Section 254.036. The [with the]  
1-20 commission must receive the report not later than 5 p.m. of the  
1-21 first business day after the date the contribution is accepted. A  
1-22 report under this section is not required to be accompanied by the  
1-23 affidavit required under Section 254.036(h) or to be submitted on a  
1-24 form prescribed by the commission. A report under this section that  
1-25 complies with Section 254.036(a) must be accompanied by an  
1-26 affidavit under Section 254.036(c)(1) unless the candidate or  
1-27 committee has submitted an affidavit under Section 254.036(c)(1)  
1-28 with another report filed in connection with the election for which  
1-29 a report is required under this section.

1-30 (d) To the extent of a conflict between this section and  
1-31 Section 254.036, this section controls [does not apply to a report  
1-32 required by this section].

1-33 SECTION 3. The heading to Section 254.039, Election Code,  
1-34 is amended to read as follows:

1-35 Sec. 254.039. SPECIAL [TELEGRAM] REPORT NEAR ELECTION BY  
1-36 CERTAIN GENERAL-PURPOSE COMMITTEES.

1-37 SECTION 4. Sections 254.039(a) and (c), Election Code, are  
1-38 amended to read as follows:

1-39 (a) In addition to other reports required by this chapter, a  
1-40 general-purpose committee that makes direct campaign expenditures  
1-41 supporting or opposing either a single candidate that in the  
1-42 aggregate exceed \$1,000 or a group of candidates that in the  
1-43 aggregate exceed \$15,000 during the period beginning the ninth day  
1-44 before election day and ending at 12 noon on the second day before  
1-45 election day shall file a report electronically, by telegram or  
1-46 telephonic facsimile machine, or by hand, in the form required by  
1-47 Section 254.036. The [with the] commission must receive the report  
1-48 not later than 48 hours after the expenditure is made. A report  
1-49 under this section is not required to be accompanied by the  
1-50 affidavit required under Section 254.036(h) or to be submitted on a  
1-51 form prescribed by the commission. A report under this section that  
1-52 complies with Section 254.036(a) must be accompanied by an  
1-53 affidavit under Section 254.036(c)(1) unless the committee has  
1-54 submitted an affidavit under Section 254.036(c)(1) with another  
1-55 report filed in connection with the election for which a report is  
1-56 required under this section.

1-57 (c) To the extent of a conflict between this section and  
1-58 Section 254.036, this section controls [does not apply to a report  
1-59 required by this section].

1-60 SECTION 5. This Act takes effect October 1, 2005.

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