

By: Nixon

H.B. No. 762

A BILL TO BE ENTITLED

AN ACT

relating to the solicitation by state officers and employees of contributions to charitable organizations.

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

SECTION 1. Subchapter C, Chapter 572, Government Code, is amended by adding Section 572.060 to read as follows:

Sec. 572.060. SOLICITATION OF CONTRIBUTIONS TO CHARITABLE ORGANIZATIONS. (a) A state officer or state employee may solicit from any person a contribution to an organization that is exempt from income taxation under Section 501(a), Internal Revenue Code, by being listed under Section 501(c)(3), Internal Revenue Code.

(b) A monetary contribution solicited as provided by Subsection (a) must:

(1) be paid directly to the charitable organization by the person making the contribution; or

(2) be in the form of a check, money order, or similar instrument payable to the charitable organization.

(c) A contribution solicited as provided by Subsection (a) that is not a monetary contribution must be delivered directly to the charitable organization by the person making the contribution.

(d) A contribution paid as provided by Subsection (b) or delivered as provided by Subsection (c) is not:

(1) a political contribution to, or political expenditure on behalf of, the state officer or state employee for

1 purposes of Title 15, Election Code;

2 (2) an expenditure made to influence legislation or
3 administrative action for purposes of Chapter 305; or

4 (3) a benefit to the state officer or state employee
5 for purposes of Sections 36.08 and 36.09, Penal Code.

6 SECTION 2. This Act takes effect September 1, 2005.