

AN ACT

relating to corrected reports, registrations, and statements filed with the Texas Ethics Commission.

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

SECTION 1. Section 305.033, Government Code, is amended by adding Subsection (f) to read as follows:

(f) A registration or report other than an activities report filed by a registrant is not considered to be late for purposes of this section if the registrant files a corrected or amended registration or report not later than the 14th business day after the date the registrant becomes aware of the error or omission in the registration or report originally filed.

SECTION 2. Section 571.0771, Government Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (b-2) to read as follows:

(a) A statement, registration, or report required that is filed with the commission is not considered to be late for purposes of any applicable civil penalty for late filing of the statement, registration, or report if:

(1) the statement, registration, or report as originally filed substantially complies with the applicable law;
[and]

(2) any error or omission in the statement, registration, or report as originally filed was made in good faith;

1 and

2 (3) the person filing the statement, registration, or
3 report files a corrected or amended statement, registration, or
4 report not later than the 14th business day after the date the
5 person learns that the statement, registration, or report as
6 originally filed is inaccurate or incomplete.

7 (b-1) For purposes of Subsection (a)(1), a report, other
8 than a report required to be filed under Section 254.038, 254.039,
9 254.064(c), 254.124(c), or 254.154(c), Election Code, does not
10 substantially comply with the applicable law if it contains an
11 error or omission other than one of the following:

12 (1) an obvious typographical error;

13 (2) the omission of information required for the
14 commission's administrative purposes;

15 (3) one or more instances of an incorrectly reported
16 contribution or an unreported contribution, if the total of
17 incorrectly reported or unreported contributions does not exceed
18 the lesser of:

19 (A) 10 percent of the total contributions
20 reported on the corrected report; or

21 (B) \$10,000;

22 (4) one or more instances of an incorrectly reported
23 contribution or an unreported contribution, if the total of
24 incorrectly reported or unreported contributions does not exceed
25 \$2,000;

26 (5) one or more instances of an incorrectly reported
27 expenditure or an unreported expenditure, if the total of

1 incorrectly reported or unreported expenditures does not exceed the
2 lesser of:

3 (A) 10 percent of the total expenditures reported
4 on the corrected report; or

5 (B) \$10,000;

6 (6) one or more instances of an incorrectly reported
7 expenditure or an unreported expenditure, if the total of
8 incorrectly reported or unreported expenditures does not exceed
9 \$2,000;

10 (7) an error in the amount reported under Section
11 254.031(a)(8), Election Code, if the correct amount:

12 (A) does not vary by more than 10 percent from the
13 amount originally reported; and

14 (B) does not exceed \$10,000;

15 (8) an error in the amount reported under Section
16 254.031(a)(8), Election Code, if the error in the amount originally
17 reported does not exceed \$2,000; or

18 (9) a reporting error or omission that the commission
19 determines is, in context, minor.

20 (b-2) For purposes of Subsection (a)(1), the commission
21 shall determine whether a report required to be filed under Section
22 254.038, 254.039, 254.064(c), 254.124(c), or 254.154(c), Election
23 Code, substantially complies with Chapter 254, Election Code.

24 SECTION 3. Section 305.033(f), Government Code, as added by
25 this Act, applies only to a registration or report required to be
26 filed under Chapter 305, Government Code, that is due on or after
27 September 1, 2005. A registration or report required to be filed

1 under Chapter 305, Government Code, that is due before September 1,
2 2005, is governed by the law in effect on the date the registration
3 or report is due, and the former law is continued in effect for that
4 purpose.

5 SECTION 4. Section 571.0771, Government Code, as amended by
6 this Act, applies only to a report, registration, or statement
7 required to be filed with the Texas Ethics Commission that is due on
8 or after September 1, 2005. A report, registration, or statement
9 required to be filed with the Texas Ethics Commission that is due
10 before September 1, 2005, is governed by the law in effect on the
11 date the report, registration, or statement is due, and the former
12 law is continued in effect for that purpose.

13 SECTION 5. This Act takes effect September 1, 2005.

H.B. No. 1800

President of the Senate

Speaker of the House

I certify that H.B. No. 1800 was passed by the House on April 29, 2005, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 1800 on May 27, 2005, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1800 on May 29, 2005, by a non-record vote.

Chief Clerk of the House

H.B. No. 1800

I certify that H.B. No. 1800 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1800 on May 29, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor