

AN ACT

relating to the termination of a campaign treasurer appointment.

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

SECTION 1. Section 252.0131, Election Code, is amended to read as follows:

Sec. 252.0131. TERMINATION OF CAMPAIGN TREASURER APPOINTMENT [~~BY COMMISSION~~]. (a) The commission by rule shall adopt a process by which the commission may terminate the campaign treasurer appointment of an inactive candidate or political committee that~~+~~

~~[(1)]~~ is required to file a campaign treasurer appointment with the commission. The governing body of a political subdivision by ordinance or order may adopt a process by which the clerk or secretary, as applicable, of the political subdivision may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the clerk or secretary. For purposes of this section, a candidate or political committee is inactive if the candidate or committee:

(1) [~~7~~, ~~(2)~~] has never filed or has ceased to file reports under Chapter 254;

(2) [~~3~~] in the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the authority who is seeking to

1 terminate the candidate's campaign treasurer appointment
2 [specified by Section 252.005(1) or (5)]; and

3 (3) ~~[(4)]~~ has not filed:

4 (A) a final report under Section 254.065 or
5 254.125; or

6 (B) a dissolution report under Section 254.126 or
7 254.159.

8 (b) Before the commission may terminate a campaign
9 treasurer appointment, the commission must consider the proposed
10 termination in a regularly scheduled open meeting. Before the
11 clerk or secretary of a political subdivision may terminate a
12 campaign treasurer appointment, the governing body of the political
13 subdivision must consider the proposed termination in a regularly
14 scheduled open meeting.

15 (c) Rules or an ordinance or order adopted under this
16 section must:

17 (1) define "inactive candidate or political
18 committee" for purposes of terminating the candidate's or
19 committee's campaign treasurer appointment; and

20 (2) require written notice to the affected candidate
21 or committee of:

22 (A) the proposed termination of the candidate's
23 or committee's campaign treasurer appointment;

24 (B) the date, time, and place of the meeting at
25 which the commission or governing body of the political
26 subdivision, as applicable, will consider the proposed
27 termination; and

1 (C) the effect of termination of the candidate's
2 or committee's campaign treasurer appointment.

3 (d) The termination of a campaign treasurer appointment
4 under this section takes effect on the 30th day after the date of
5 the [~~commission~~] meeting at which the commission or governing body,
6 as applicable, votes to terminate the appointment. Following that
7 meeting, the commission or the clerk or secretary of the political
8 subdivision, as applicable, shall promptly notify the affected
9 candidate or political committee that the appointment has been
10 terminated. The notice must state the effective date of the
11 termination.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2005.

H.B. No. 1863

President of the Senate

Speaker of the House

I certify that H.B. No. 1863 was passed by the House on May 9, 2005, by the following vote: Yeas 144, Nays 0, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1863 was passed by the Senate on May 23, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor