

By: Hilderbran

H.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

relating to the improper use of information contained in a report of political contributions and expenditures; creating an offense.

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

SECTION 1. Subchapter B, Chapter 254, Election Code, is amended by adding Sections 254.044 and 254.045 to read as follows:

Sec. 254.044. RESTRICTION ON SALE OR USE OF INFORMATION OBTAINED FROM REPORT. (a) A person may not, for a commercial purpose or for the purpose of soliciting a contribution, including a political or charitable contribution, sell or use information the person knows to be obtained from a report filed under this chapter. This subsection does not apply to the name and address of a political committee.

(b) A person may not, in a newspaper, magazine, book, or other communication, disclose information the person knows to be obtained from a report filed under this chapter if the principal purpose of the disclosure is communicating the information with the intention or knowledge that the information will be used for a commercial purpose or for the purpose of soliciting a contribution, including a political or charitable contribution.

(c) A person who violates this section commits an offense. An offense under this section is a Class B misdemeanor.

Sec. 254.045. USE OF FICTITIOUS NAME IN REPORT. (a) A person required to file a report under this chapter may list on the

1 report not more than 10 fictitious names under Section
2 254.031(a)(1) as persons who made political contributions that in
3 the aggregate exceed \$50. The address corresponding to the
4 fictitious name may be the correct address of any person. A
5 fictitious name may not represent an actual contributor.

6 (b) The amount listed as a contribution by a fictitious
7 person must be subtracted from the amount reported under Section
8 254.031(a)(5).

9 (c) A person may not:

10 (1) attribute to the same fictitious name more than
11 \$1,000 in contributions during a reporting period; or

12 (2) use a fictitious name to circumvent a provision of
13 this title.

14 (d) A person submitting a report containing a fictitious
15 name shall separately send a list of each fictitious name given in
16 the report to the authority with whom the report is filed, on or
17 before the date the report is filed. The authority shall keep the
18 list in the same manner as a report filed with the authority under
19 this chapter, except that a list submitted under this subsection is
20 confidential and is not subject to disclosure under this chapter or
21 Chapter 552, Government Code.

22 SECTION 2. This Act takes effect September 1, 2007.