

By: McCall

H.B. No. 2195

Substitute the following for H.B. No. 2195:

By: Berman

C.S.H.B. No. 2195

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the time of day by which a report must be filed
3 electronically with the Texas Ethics Commission.

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

5 SECTION 1. Section 254.037, Election Code, is amended to
6 read as follows:

7 Sec. 254.037. FILING DEADLINE. (a) Except as provided by
8 Subsection (b), the [The] deadline for filing a report required by
9 this chapter is 5 p.m. on the last day permitted under this chapter
10 for filing the report.

11 (b) The deadline for filing a report electronically with the
12 commission as required by this chapter is midnight on the last day
13 for filing the report.

14 SECTION 2. Section 254.038(c), Election Code, is amended to
15 read as follows:

16 (c) A report under this section shall be filed
17 electronically, by telegram or telephonic facsimile machine, or by
18 hand, in the form required by Section 254.036. The commission must
19 receive a [the] report under this section filed by telegram,
20 telephonic facsimile machine, or hand not later than 5 p.m. of the
21 first business day after the date the contribution is accepted. The
22 commission must receive a report under this section filed
23 electronically not later than midnight of the first business day
24 after the date the contribution is accepted. A report under this

1 section is not required to be accompanied by the affidavit required
2 under Section 254.036(h) or to be submitted on a form prescribed by
3 the commission. A report under this section that complies with
4 Section 254.036(a) must be accompanied by an affidavit under
5 Section 254.036(c)(1) unless the candidate or committee has
6 submitted an affidavit under Section 254.036(c)(1) with another
7 report filed in connection with the election for which a report is
8 required under this section.

9 SECTION 3. Section 302.015(b), Government Code, is amended
10 to read as follows:

11 (b) A statement required to be filed on the day before a
12 regular or called session convenes must actually be delivered and
13 in the possession of the Texas Ethics Commission not later than
14 midnight [~~5 p.m.~~] of that day.

15 SECTION 4. Section 305.010, Government Code, is amended to
16 read as follows:

17 Sec. 305.010. TIMELINESS OF FILING REGISTRATIONS AND
18 REPORTS. (a) A registration or report filed by first-class United
19 States mail or by common or contract carrier is timely if:

20 (1) it is properly addressed with postage or handling
21 charges prepaid; and

22 (2) it bears a post office cancellation mark or a
23 receipt mark from a common or contract carrier indicating a time
24 within the applicable filing period or before the applicable filing
25 deadline or if the person required to file furnishes satisfactory
26 proof that it was deposited in the mail or with a common or contract
27 carrier within that period or before that deadline.

1 (b) A registration or report filed by means of electronic
2 transfer is timely if it is received by the commission not later
3 than midnight on the last day permitted under this chapter for
4 filing the report or registration.

5 SECTION 5. Subchapter C, Chapter 571, Government Code, is
6 amended by adding Section 571.0645 to read as follows:

7 Sec. 571.0645. FILING DEADLINE FOR ELECTRONIC REPORTS. The
8 commission shall by rule establish that the deadline for any report
9 filed electronically with the commission is midnight on the last
10 day for filing the report under the law requiring the filing of the
11 report.

12 SECTION 6. This Act takes effect September 1, 2007.