

By: McCall

H.B. No. 2195

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

(c) A report under this section shall be filed electronically, by telegram or telephonic facsimile machine, or by hand, in the form required by Section 254.036. The commission must receive the report not later than midnight [~~5 p.m.~~] of the first business day after the date the contribution is accepted. A report under this section is not required to be accompanied by the affidavit required under Section 254.036(h) or to be submitted on a form prescribed by the commission. A report under this section that complies with Section 254.036(a) must be accompanied by an

1 affidavit under Section 254.036(c)(1) unless the candidate or  
2 committee has submitted an affidavit under Section 254.036(c)(1)  
3 with another report filed in connection with the election for which  
4 a report is required under this section.

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

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

11 SECTION 4. Section 305.010, Government Code, is amended to  
12 read as follows:

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

16 (1) it is properly addressed with postage or handling  
17 charges prepaid; and

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

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

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

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

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