

1-1 By: McCall (Senate Sponsor - Harris) H.B. No. 2195
1-2 (In the Senate - Received from the House May 3, 2007;
1-3 May 7, 2007, read first time and referred to Committee on State
1-4 Affairs; May 11, 2007, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 11, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the time of day by which a report must be filed
1-9 electronically with the Texas Ethics Commission.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 254.037, Election Code, is amended to
1-12 read as follows:

1-13 Sec. 254.037. FILING DEADLINE. (a) Except as provided by
1-14 Subsection (b), the [The] deadline for filing a report required by
1-15 this chapter is 5 p.m. on the last day permitted under this chapter
1-16 for filing the report.

1-17 (b) The deadline for filing a report electronically with the
1-18 commission as required by this chapter is midnight on the last day
1-19 for filing the report.

1-20 SECTION 2. Section 254.038(c), Election Code, is amended to
1-21 read as follows:

1-22 (c) A report under this section shall be filed
1-23 electronically, by telegram or telephonic facsimile machine, or by
1-24 hand, in the form required by Section 254.036. The commission must
1-25 receive a [the] report under this section filed by telegram,
1-26 telephonic facsimile machine, or hand not later than 5 p.m. of the
1-27 first business day after the date the contribution is accepted. The
1-28 commission must receive a report under this section filed
1-29 electronically not later than midnight of the first business day
1-30 after the date the contribution is accepted. A report under this
1-31 section is not required to be accompanied by the affidavit required
1-32 under Section 254.036(h) or to be submitted on a form prescribed by
1-33 the commission. A report under this section that complies with
1-34 Section 254.036(a) must be accompanied by an affidavit under
1-35 Section 254.036(c)(1) unless the candidate or committee has
1-36 submitted an affidavit under Section 254.036(c)(1) with another
1-37 report filed in connection with the election for which a report is
1-38 required under this section.

1-39 SECTION 3. Section 302.015(b), Government Code, is amended
1-40 to read as follows:

1-41 (b) A statement required to be filed on the day before a
1-42 regular or called session convenes must actually be delivered and
1-43 in the possession of the Texas Ethics Commission not later than
1-44 midnight [5 p.m.] of that day.

1-45 SECTION 4. Section 305.010, Government Code, is amended to
1-46 read as follows:

1-47 Sec. 305.010. TIMELINESS OF FILING REGISTRATIONS AND
1-48 REPORTS. (a) A registration or report filed by first-class United
1-49 States mail or by common or contract carrier is timely if:

1-50 (1) it is properly addressed with postage or handling
1-51 charges prepaid; and

1-52 (2) it bears a post office cancellation mark or a
1-53 receipt mark from a common or contract carrier indicating a time
1-54 within the applicable filing period or before the applicable filing
1-55 deadline or if the person required to file furnishes satisfactory
1-56 proof that it was deposited in the mail or with a common or contract
1-57 carrier within that period or before that deadline.

1-58 (b) A registration or report filed by means of electronic
1-59 transfer is timely if it is received by the commission not later
1-60 than midnight on the last day permitted under this chapter for
1-61 filing the report or registration.

1-62 SECTION 5. Subchapter C, Chapter 571, Government Code, is
1-63 amended by adding Section 571.0645 to read as follows:

1-64 Sec. 571.0645. FILING DEADLINE FOR ELECTRONIC REPORTS. The

2-1 commission shall by rule establish that the deadline for any report
2-2 filed electronically with the commission is midnight on the last
2-3 day for filing the report under the law requiring the filing of the
2-4 report.

2-5 SECTION 6. This Act takes effect September 1, 2007.

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