

1-1 By: Berman (Senate Sponsor - Harris) H.B. No. 2491
1-2 (In the Senate - Received from the House April 26, 2007;
1-3 May 1, 2007, read first time and referred to Committee on State
1-4 Affairs; May 8, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 3; May 8, 2007, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2491 By: Harris

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to political expenditures made by a corporation or labor
1-11 organization to finance the establishment and administration of a
1-12 political committee.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 253.100, Election Code, is amended by
1-15 amending Subsection (a) and adding Subsections (d), (e), and (f) to
1-16 read as follows:

1-17 (a) A corporation, acting alone or with one or more other
1-18 corporations, may make one or more political expenditures to
1-19 finance the establishment or administration of a general-purpose
1-20 committee. In addition to any other expenditure that is considered
1-21 permissible under this section, an expenditure for the maintenance
1-22 and operation of a general-purpose committee is permissible,
1-23 including an expenditure for:

1-24 (1) office space;

1-25 (2) telephones;

1-26 (3) office equipment;

1-27 (4) utilities;

1-28 (5) general office and meeting supplies;

1-29 (6) salaries for clerical or administrative
1-30 assistance necessary for the proper administrative operation of the
1-31 committee;

1-32 (7) legal and accounting fees for the committee's
1-33 compliance with this title;

1-34 (8) routine administrative expenses incurred in
1-35 establishing and administering a general-purpose political
1-36 committee;

1-37 (9) meetings of the committee's governing body to
1-38 interview candidates and make endorsements relating to the
1-39 committee's support;

1-40 (10) political consulting for determining
1-41 endorsements;

1-42 (11) the recording of committee decisions; or

1-43 (12) the preparation and delivery of committee
1-44 contributions.

1-45 (d) A corporation or labor organization may not make
1-46 expenditures under this section for:

1-47 (1) political consulting to support or oppose a
1-48 candidate;

1-49 (2) telephone banks to communicate with voters to
1-50 support or oppose a candidate;

1-51 (3) brochures and direct mail supporting or opposing a
1-52 candidate;

1-53 (4) partisan voter registration and partisan
1-54 get-out-the-vote drives;

1-55 (5) political fund-raising;

1-56 (6) voter identification, lists, or databases;

1-57 (7) polling designed to support or oppose a candidate;

1-58 or

1-59 (8) recruiting candidates.

1-60 (e) In issuing an advisory opinion under Subchapter D,
1-61 Chapter 571, Government Code, on the question of whether a
1-62 political expenditure is for the establishment or administration of
1-63 a general-purpose committee, the commission may consider relevant

2-1 federal election laws and opinions for guidance.

2-2 (f) Subsection (d) does not apply to a corporation or labor
2-3 organization making an expenditure to communicate with its
2-4 stockholders or members, as applicable, or with the families of its
2-5 stockholders or members under Section 253.098.

2-6 SECTION 2. This Act takes effect immediately if it receives
2-7 a vote of two-thirds of all the members elected to each house, as
2-8 provided by Section 39, Article III, Texas Constitution. If this
2-9 Act does not receive the vote necessary for immediate effect, this
2-10 Act takes effect September 1, 2007.

2-11 SECTION 3. The clarification in law made by this Act applies
2-12 only to expenditures made under 253.100, Election Code on or after
2-13 the effective date of this Act. Any expenditure made under Section
2-14 253.100, Election Code, before the effective date of this Act, is
2-15 governed by the law in effect at the time the expenditures is made,
2-16 and the former law is continued in effect for that purpose.

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