

By: McCall

H.B. No. 2589

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of a civil penalty in connection with a self-corrected statement, registration, or report filed with the Texas Ethics Commission.

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

SECTION 1. Section 571.0771, Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (c) to read as follows:

(a) A statement, registration, or report required that is filed with the commission is not considered to be late for purposes of any applicable civil penalty for late filing of the statement, registration, or report if:

~~(1) [the statement, registration, or report as originally filed substantially complies with the applicable law,~~

~~(2)]~~ any error or omission in the statement, registration, or report as originally filed was made in good faith; and

(2) [(3) the person filing the statement, registration, or report files a corrected or amended statement, registration, or report] not later than the 14th business day after the date the person filing the statement, registration, or report learns that the statement, registration, or report as originally filed is inaccurate or incomplete, the person files:

(A) a corrected or amended statement,

1 registration, or report; and

2 (B) an affidavit stating that the error or  
3 omission in the original statement, registration, or report was  
4 made in good faith.

5 (b) Subsection (a) ~~[This section]~~ does not apply to:

6 (1) a penalty imposed under Section 571.069 or  
7 Subchapter E or F; or

8 (2) a report required to be filed under Section  
9 254.038, 254.039, 254.064(c), 254.124(c), or 254.154(c), Election  
10 Code.

11 (c) A report required to be filed under Section 254.064(c),  
12 254.124(c), or 254.154(c), Election Code, is not considered to be  
13 late for purposes of any applicable civil penalty for late filing of  
14 the report if:

15 (1) the report as originally filed substantially  
16 complies with the applicable law, as determined by the commission;

17 (2) any error or omission in the report as originally  
18 filed was made in good faith; and

19 (3) not later than the 14th business day after the date  
20 the person filing the report learns that the report as originally  
21 filed is inaccurate or incomplete, the person files:

22 (A) a corrected or amended report; and

23 (B) an affidavit stating that the error or  
24 omission in the original report was made in good faith.

25 SECTION 2. Sections 571.0771(b-1) and (b-2), Government  
26 Code, are repealed.

27 SECTION 3. Section 571.0771, Government Code, as amended by

1 this Act, applies only to a report, registration, or statement  
2 required to be filed with the Texas Ethics Commission that is due on  
3 or after September 1, 2007. A report, registration, or statement  
4 required to be filed with the Texas Ethics Commission that is due  
5 before September 1, 2007, is governed by the law in effect on the  
6 date the report, registration, or statement is due, and the former  
7 law is continued in effect for that purpose.

8 SECTION 4. This Act takes effect September 1, 2007.