

By: Anchia

H.B. No. 3902

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of political contributions to make payments in
3 connection with the rental of certain real property; providing a
4 criminal penalty.

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

6 SECTION 1. Section 253.038, Election Code, is amended by
7 adding Subsection (a-1) to read as follows:

8 (a-1) A candidate or officeholder or a specific-purpose
9 committee for supporting, opposing, or assisting the candidate or
10 officeholder may not knowingly make or authorize a payment from a
11 political contribution for the rental of real property from:

12 (1) a person related in the second degree by
13 consanguinity or affinity, as determined under Chapter 573,
14 Government Code, to the candidate or officeholder; or

15 (2) a business in which the candidate or officeholder
16 or a person described by Subdivision (1) has a participating
17 interest of more than 10 percent, holds a position on the governing
18 body, or serves as an officer.

19 SECTION 2. The heading to Section 253.038, Election Code,
20 is amended to read as follows:

21 Sec. 253.038. PAYMENTS MADE TO PURCHASE REAL PROPERTY OR TO
22 RENT CERTAIN REAL PROPERTY PROHIBITED.

23 SECTION 3. Section 253.038(a-1), Election Code, as added by
24 this Act, applies to a payment made from political contributions on

1 or after the effective date of this Act, without regard to whether
2 the payment was made under a lease or other agreement entered into
3 before the effective date of this Act. A payment made from
4 political contributions before the effective date of this Act is
5 governed by the law in effect on the date the payment was made, and
6 the former law is continued in effect for that purpose.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.