

BILL ANALYSIS

C.S.H.B. 756
By: Martinez Fischer
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the State Capitol is the only state building in which a political contribution may not be accepted

The purpose of C.S.H.B. 756 is to define "state building" and to prohibit the making or acceptance of political contributions in a portion of the state building that is used for state business.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 756 amends the Election Code by prohibiting the making or acceptance of a political contribution in any state building, rather than just the Capitol. The bill adds that if the Texas Ethics Commission determines that a contribution has been made or attempted by a registered lobbyist, it shall suspend the lobbyist's registration for 180 days. If the Commission determines that a contribution has made or attempted by a general-purpose committee, it shall enter an order suspending said general-purpose committee's treasurer for 180 days. The bill defines a state building as any building owned or occupied by the state, including a building or an office leased to the state for state purposes that is used by a state officer or state agency. The bill states that a prohibition only applies to the portion of the building used for state business.

C.S.H.B. 756 repeals sections 253.039(c) of the elections code and proscribes that this law only applies to acts committed after the effective date and that any act committed before the effective date falls under the former law. This act takes effect September 1, 2009.

EFFECTIVE DATE

September 1, 2009

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute repeals language in the original bill that requires a candidate, officeholder, or political committee or a person acting on behalf of them to report to the commission, in writing within the time prescribed by commission rule, the receipt of a political contribution in a state building.

The Substitute adds language to clarify that the prohibition only applies to the portion of the building used for state business.

The substitute also makes some conforming changes.