

By: Martinez Fischer

H.B. No. 756

A BILL TO BE ENTITLED

AN ACT

relating to the making or acceptance of political contributions in a building owned by or leased to the state.

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

SECTION 1. Section 253.039, Election Code, is amended by amending Subsections (a) and (b) and adding Subsections (e), (f), and (g) to read as follows:

(a) A person may not knowingly make or authorize a political contribution while in a state building [~~the Capitol~~] to:

(1) a candidate or officeholder;

(2) a political committee; or

(3) a person acting on behalf of a candidate, officeholder, or political committee.

(b) A candidate, officeholder, or political committee or a person acting on behalf of a candidate, officeholder, or political committee may not knowingly accept a political contribution, and shall refuse a political contribution that is received, in a state building [~~the Capitol~~].

(e) If the commission determines that a person registered under Chapter 305, Government Code, has made or attempted to make a political contribution in a state building, the commission shall enter an order suspending the person's registration under Section 305.005 for 180 days.

(f) If the commission determines that a general-purpose

1 committee has made or attempted to make a political contribution in
2 a state building, the commission shall enter an order suspending
3 the committee's campaign treasurer appointment for 180 days.

4 (g) In this section, "state building" means any building
5 owned or occupied by the state, including a building or office
6 leased to the state for state purposes, that is used by a state
7 officer or state agency. The prohibition only applies to the
8 portion of the building used for state business.

9 SECTION 2. Section 253.039(c), Election Code, is repealed.

10 SECTION 3. (a) Section 253.039, Election Code, as amended
11 by this Act, applies only to an offense committed on or after
12 September 1, 2009. For purposes of this section, an offense is
13 committed before the effective date of this Act if any element of
14 the offense occurs before that date.

15 (b) An offense committed before September 1, 2009, is
16 covered by the law in effect when the offense was committed, and the
17 former law is continued in effect for that purpose.

18 SECTION 4. This Act takes effect September 1, 2009.