

1-1 By: Martinez Fischer (Senate Sponsor - Ellis) H.B. No. 756
1-2 (In the Senate - Received from the House May 6, 2009;
1-3 May 7, 2009, read first time and referred to Committee on State
1-4 Affairs; May 23, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 23, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 756 By: Van de Putte

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

1-10 relating to the making or acceptance of political contributions in
1-11 certain office buildings owned by or leased to the state.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 253.039, Election Code, is amended by
1-14 amending Subsections (a), (b), and (c) and adding Subsection (e) to
1-15 read as follows:

1-16 (a) A person may not knowingly make or authorize a political
1-17 contribution while in a state office building ~~[the Capitol]~~ to:

1-18 (1) a candidate or officeholder;

1-19 (2) a political committee; or

1-20 (3) a person acting on behalf of a candidate,
1-21 officeholder, or political committee.

1-22 (b) A candidate, officeholder, or political committee or a
1-23 person acting on behalf of a candidate, officeholder, or political
1-24 committee may not knowingly accept a political contribution, and
1-25 shall refuse a political contribution that is received, in a state
1-26 office building ~~[the Capitol]~~.

1-27 (c) Subsections (a) and (b) apply to ~~[This section does not~~
1-28 ~~prohibit]~~ contributions made in a state office building ~~[the~~
1-29 ~~Capitol]~~ through the United States Postal Service or a common or
1-30 contract carrier.

1-31 (e) In this section, "state office building" means any
1-32 building owned or occupied by the state, including a building or
1-33 portion of a building leased to the state for state purposes, in
1-34 which an elected state officer maintains an office. The
1-35 prohibitions prescribed by Subsections (a) and (b) apply only to
1-36 the portion of the building used for state business.

1-37 SECTION 2. (a) Section 253.039, Election Code, as amended
1-38 by this Act, applies only to an offense committed on or after
1-39 September 1, 2009. For purposes of this section, an offense is
1-40 committed before the effective date of this Act if any element of
1-41 the offense occurs before that date.

1-42 (b) An offense committed before September 1, 2009, is
1-43 covered by the law in effect when the offense was committed, and the
1-44 former law is continued in effect for that purpose.

1-45 SECTION 3. This Act takes effect September 1, 2009.

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