

By: Gallego

H.B. No. 2065

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the applicability of the moratoriums on the acceptance
3 of certain political contributions and caucus contributions to
4 contributions delivered by common or contract carrier.

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

6 SECTION 1. Section 253.034(b), Election Code, is amended to
7 read as follows:

8 (b) A statewide officeholder, a member of the legislature,
9 or a specific-purpose committee for supporting, opposing, or
10 assisting a statewide officeholder or member of the legislature may
11 not knowingly accept a political contribution, and shall refuse a
12 political contribution that is received, during the period
13 prescribed by Subsection (a). A political contribution that is
14 received and refused during that period shall be returned to the
15 contributor not later than the 30th day after the date of receipt.
16 A contribution made by United States mail or by common or contract
17 carrier is not considered received during that period if it was
18 properly addressed and placed with postage or carrier charges
19 prepaid or prearranged [~~and properly addressed~~] in the [~~United~~
20 ~~States~~] mail or delivered to the contract carrier before the
21 beginning of the period. The date indicated by the post office
22 cancellation mark or the common or contract carrier documents is
23 considered to be the date the contribution was placed in the mail or
24 delivered to the common or contract carrier unless proven

1 otherwise.

2 SECTION 2. Section 253.0341(b), Election Code, is amended
3 to read as follows:

4 (b) A legislative caucus may not knowingly accept from a
5 nonmember a contribution, and shall refuse a contribution from a
6 nonmember that is received, during the period prescribed by
7 Subsection (a). A contribution that is received and refused during
8 that period shall be returned to the contributor not later than the
9 30th day after the date of receipt. A contribution made by United
10 States mail or by common or contract carrier is not considered
11 received during that period if it was properly addressed and placed
12 with postage or carrier charges prepaid or prearranged [~~and~~
13 ~~properly addressed~~] in the [~~United States~~] mail or delivered to the
14 contract carrier before the beginning of the period. The date
15 indicated by the post office cancellation mark or the common or
16 contract carrier documents is considered to be the date the
17 contribution was placed in the mail or delivered to the common or
18 contract carrier unless proven otherwise.

19 SECTION 3. (a) The change in law made by this Act applies
20 only to an offense committed on or after September 1, 2009. For
21 purposes of this section, an offense is committed before that date
22 if any element of the offense occurs before that date.

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

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