

By: Smith of Tarrant

H.B. No. 4436

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the period during which a judicial candidate or
3 officeholder may accept political contributions.

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

5 SECTION 1. Section 253.153, Election Code, is amended by
6 amending Subsection (a) and adding Subsection (a-1) to read as
7 follows:

8 (a) A judicial candidate or officeholder, a
9 specific-purpose committee for supporting or opposing a judicial
10 candidate, or a specific-purpose committee for assisting a judicial
11 officeholder may not knowingly accept a political contribution
12 except during the period:

13 (1) beginning on:

14 (A) the 210th day before the date an application
15 for a place on the ballot or for nomination by convention for the
16 office is required to be filed, if the election is for a full term;
17 or

18 (B) the later of the 210th day before the date an
19 application for a place on the ballot or for nomination by
20 convention for the office is required to be filed or the date a
21 vacancy in the office occurs, if the election is for an unexpired
22 term; and

23 (2) ending on the 120th day after the date of:

24 (A) the ~~general~~ election in which the candidate

1 or officeholder last appeared on the ballot, regardless of whether
2 the candidate or officeholder has an opponent in that election [~~for~~
3 ~~state and county officers, if the candidate or officeholder has an~~
4 ~~opponent in the general election,~~

5 [~~(B) except as provided by Subsection (c), the~~
6 ~~runoff primary election, if the candidate or officeholder is a~~
7 ~~candidate in the runoff primary election and does not have an~~
8 ~~opponent in the general election; or~~

9 [~~(C) except as provided by Subsection (c), the~~
10 ~~general primary election, if the candidate or officeholder is not a~~
11 ~~candidate in the runoff primary election and does not have an~~
12 ~~opponent in the general election].~~

13 (a-1) Notwithstanding Subsection (a), a judicial candidate
14 or officeholder who had an opponent in a primary election or runoff
15 primary election but who was not opposed in the general election
16 held on November 4, 2008, may accept political contributions as
17 provided by this title during the period beginning September 1,
18 2009, and ending December 31, 2009. This subsection expires
19 January 1, 2010.

20 SECTION 2. Section 253.153(c), Election Code, is repealed.

21 SECTION 3. This Act takes effect September 1, 2009.