

By: Villarreal

H.B. No. 4527

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the regulation of political contributions and  
3 expenditures by certain political subdivisions; providing  
4 penalties.

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

6 SECTION 1. Title 15, Election Code, is amended by adding  
7 Chapter 260 to read as follows:

8 CHAPTER 260. REGULATION BY CERTAIN POLITICAL SUBDIVISIONS

9 Sec. 260.001. APPLICABILITY OF CHAPTER. This chapter  
10 applies only to:

11 (1) an election for an office of:

12 (A) a county;

13 (B) an independent school district;

14 (C) a junior college district; or

15 (D) a district to which Chapter 49, Water Code,  
16 applies; or

17 (2) an election on a measure ordered by the governing  
18 body of a political subdivision described by Subdivision (1).

19 Sec. 260.002. REGULATION BY CERTAIN POLITICAL  
20 SUBDIVISIONS. (a) The governing body of a political subdivision to  
21 which this chapter applies may regulate:

22 (1) political contributions to and expenditures by:

23 (A) a candidate for or holder of an elected  
24 office in the political subdivision;

1           (B) a specific-purpose committee for the purpose  
2 of supporting or opposing a candidate described by Paragraph (A) or  
3 assisting an officeholder described by Paragraph (A); or

4           (C) a general-purpose committee involved in an  
5 election for an elected office of the political subdivision; or

6           (2) political contributions and expenditures related  
7 to an election on a measure ordered by the governing body.

8           (b) A regulation authorized by Subsection (a) may not be  
9 inconsistent with a provision of this title, except that the  
10 governing body may adopt a regulation that is more stringent than a  
11 provision of this title.

12           Sec. 260.003. ENFORCEMENT. (a) The governing body of a  
13 political subdivision to which this chapter applies may adopt  
14 procedures for the enforcement of regulations adopted under this  
15 chapter, including procedures authorizing suit to be brought in the  
16 district court for appropriate injunctive relief to prevent the  
17 violation or threatened violation of a regulation adopted under  
18 this chapter from continuing or occurring.

19           (b) The governing body of a political subdivision to which  
20 this chapter applies may impose an administrative penalty for a  
21 violation of a regulation adopted under this chapter. The amount of  
22 an administrative penalty under this subsection may not exceed the  
23 lesser of:

24           (1) \$2,000; or

25           (2) three times the amount at issue in the violation.

26           (c) A person commits an offense if the person violates a  
27 regulation adopted under this chapter. An offense under this

1 subsection is a Class C misdemeanor.

2 SECTION 2. This Act takes effect September 1, 2009.