

By: Howard of Travis

H.B. No. 806

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the appointment of a campaign treasurer and filing of  
3 reports of political contributions and expenditures by certain  
4 candidates.

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

6 SECTION 1. Section 252.001, Election Code, is amended to  
7 read as follows:

8 Sec. 252.001. APPOINTMENT OF CAMPAIGN TREASURER REQUIRED.

9 (a) Except as provided by Subsection (b), each ~~Each~~ candidate and  
10 each political committee shall appoint a campaign treasurer as  
11 provided by this chapter.

12 (b) A candidate who files a declaration of intent under  
13 Section 254.182 is not required to appoint a campaign treasurer  
14 unless the candidate exceeds the maximum amount of political  
15 contributions or political expenditures prescribed by Section  
16 254.181.

17 SECTION 2. Section 253.031, Election Code, is amended by  
18 adding Subsection (a-1) to read as follows:

19 (a-1) Subsection (a) does not apply to a candidate who files  
20 a declaration of intent under Section 254.182 unless the candidate  
21 exceeds the maximum amount of political contributions or political  
22 expenditures prescribed by Section 254.181.

23 SECTION 3. The heading to Subchapter G, Chapter 254,  
24 Election Code, is amended to read as follows:

1 SUBCHAPTER G. EXEMPTION FROM REPORTING OR MODIFIED REPORTING

2 PROCEDURES; \$500 MAXIMUM IN CONTRIBUTIONS OR EXPENDITURES

3 SECTION 4. Sections 254.181 and 254.182, Election Code, are  
4 amended to read as follows:

5 Sec. 254.181. EXEMPTION FROM REPORTING OR MODIFIED  
6 REPORTING AUTHORIZED. (a) A candidate required to file reports  
7 under Subchapter C, including a candidate who has an opponent whose  
8 name will appear on the ballot, is exempt from filing reports under  
9 this chapter if the candidate does not intend to accept political  
10 contributions that in the aggregate exceed \$500 or to make  
11 political expenditures that in the aggregate exceed \$500 in  
12 connection with the election.

13 (b) A [~~An opposed candidate or~~] specific-purpose committee  
14 required to file reports under Subchapter [~~C or~~] E may file a report  
15 under this subchapter instead if the [~~candidate or~~] committee does  
16 not intend to accept political contributions that in the aggregate  
17 exceed \$500 or to make political expenditures that in the aggregate  
18 exceed \$500 in connection with the election.

19 (c) [~~(b)~~] The amount of a filing fee paid by a candidate is  
20 excluded from the \$500 maximum expenditure permitted under  
21 Subsection (a) [~~this section~~].

22 Sec. 254.182. DECLARATION OF INTENT REQUIRED. (a) To be  
23 exempt from filing reports under this chapter, a candidate must  
24 file a written declaration of intent not to exceed \$500 in political  
25 contributions or political expenditures in the election.

26 (b) A candidate who files a campaign treasurer appointment  
27 must file the declaration of intent with the candidate's campaign

1 treasurer appointment. A candidate who does not file a campaign  
2 treasurer appointment must file the declaration of intent with the  
3 authority with whom the candidate would otherwise file a campaign  
4 treasurer appointment.

5 (c) To be entitled to file reports under this subchapter, a  
6 [~~an opposed candidate or~~] specific-purpose committee must file with  
7 the campaign treasurer appointment a written declaration of intent  
8 not to exceed \$500 in political contributions or political  
9 expenditures in the election.

10 (d) [~~(b)~~] The declaration of intent must contain a  
11 statement that the candidate or committee understands that if the  
12 \$500 maximum for contributions and expenditures is exceeded:

13 (1) the candidate is required to file a campaign  
14 treasurer appointment, if the candidate has not previously done so;  
15 and

16 (2) the candidate or committee is required to file  
17 reports under Subchapter C or E, as applicable.

18 SECTION 5. Sections 254.183(a) and (c), Election Code, are  
19 amended to read as follows:

20 (a) A [~~An opposed~~] candidate or specific-purpose committee  
21 that exceeds \$500 in political contributions or political  
22 expenditures in the election shall file reports as required by  
23 Subchapter C or E, as applicable.

24 (c) A report filed under Subsection (b) covers the period:

25 (1) beginning on:

26 (A) for a candidate who did not previously file a  
27 campaign treasurer appointment, the day the first political

1 contribution is accepted or the first political expenditure is  
2 made; or

3 (B) for a candidate who previously filed a  
4 campaign treasurer appointment or for a specific-purpose  
5 committee, the day the candidate's or committee's campaign  
6 treasurer appointment is filed; and

7 (2) continuing through the day the maximum is  
8 exceeded.

9 SECTION 6. Section 254.184, Election Code, is amended to  
10 read as follows:

11 Sec. 254.184. APPLICABILITY OF REGULAR REPORTING  
12 REQUIREMENTS. (a) Subchapter [~~C or~~] E [~~, as applicable,~~] applies  
13 to a [~~an opposed candidate or~~] specific-purpose committee filing  
14 under this subchapter to the extent that that [~~the appropriate~~]  
15 subchapter does not conflict with this subchapter.

16 (b) A specific-purpose [~~candidate or~~] committee filing  
17 under this subchapter is not required to file any reports of  
18 political contributions and political expenditures other than the  
19 semiannual reports required to be filed not later than July 15 and  
20 January 15.

21 SECTION 7. This Act takes effect September 1, 2011.