

1-1 By: Hopson (Senate Sponsor - Williams) H.B. No. 2359
1-2 (In the Senate - Received from the House May 12, 2011;
1-3 May 12, 2011, read first time and referred to Committee on State
1-4 Affairs; May 17, 2011, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 17, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to direct campaign expenditures.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. The heading to Section 253.094, Election Code,
1-11 is amended to read as follows:

1-12 Sec. 253.094. CONTRIBUTIONS ~~[AND EXPENDITURES]~~ PROHIBITED.

1-13 SECTION 2. Sections 253.094(a) and (b), Election Code, are
1-14 amended to read as follows:

1-15 (a) A corporation or labor organization may not make a
1-16 political contribution ~~[or political expenditure]~~ that is not
1-17 authorized by this subchapter.

1-18 (b) A corporation or labor organization may not make a
1-19 political contribution ~~[or political expenditure]~~ in connection
1-20 with a recall election, including the circulation and submission of
1-21 a petition to call an election.

1-22 SECTION 3. Section 254.036(b), Election Code, is amended to
1-23 read as follows:

1-24 (b) Except as provided by Subsection (c) or ~~[7]~~ (e), ~~[or~~
1-25 ~~(f)]~~, each report filed under this chapter with the commission must
1-26 be filed by computer diskette, modem, or other means of electronic
1-27 transfer, using computer software provided by the commission or
1-28 computer software that meets commission specifications for a
1-29 standard file format.

1-30 SECTION 4. Section 254.061, Election Code, is amended to
1-31 read as follows:

1-32 Sec. 254.061. ADDITIONAL CONTENTS OF REPORTS. In addition
1-33 to the contents required by Section 254.031, each report by a
1-34 candidate must include:

1-35 (1) the candidate's full name and address, the office
1-36 sought, and the identity and date of the election for which the
1-37 report is filed;

1-38 (2) the campaign treasurer's name, residence or
1-39 business street address, and telephone number;

1-40 (3) for each political committee from which the
1-41 candidate received notice under Section 254.128 or 254.161:

1-42 (A) the committee's full name and address;

1-43 (B) an indication of whether the committee is a
1-44 general-purpose committee or a specific-purpose committee; and

1-45 (C) the full name and address of the committee's
1-46 campaign treasurer; and

1-47 ~~(4) [the full name and address of each individual~~
1-48 ~~acting as a campaign treasurer of a political committee under~~
1-49 ~~Section 253.062 from whom the candidate received notice under~~
1-50 ~~Section 254.128 or 254.161, and~~

1-51 ~~[(5)]~~ on a separate page or pages of the report, the
1-52 identification of any payment from political contributions made to
1-53 a business in which the candidate has a participating interest of
1-54 more than 10 percent, holds a position on the governing body of the
1-55 business, or serves as an officer of the business.

1-56 SECTION 5. Chapter 254, Election Code, is amended by adding
1-57 Subchapter J to read as follows:

1-58 SUBCHAPTER J. REPORTING BY CERTAIN PERSONS MAKING DIRECT CAMPAIGN
1-59 EXPENDITURES

1-60 Sec. 254.261. DIRECT CAMPAIGN EXPENDITURE EXCEEDING \$100.

1-61 (a) A person not acting in concert with another person who makes
1-62 one or more direct campaign expenditures in an election from the
1-63 person's own property shall comply with this chapter as if the
1-64 person were the campaign treasurer of a general-purpose committee

2-1 that does not file monthly reports under Section 254.155.

2-2 (b) A person is not required to file a report under this
2-3 section if the person is required to disclose the expenditure in
2-4 another report required under this title within the time applicable
2-5 under this section for reporting the expenditure.

2-6 (c) This section does not require a general-purpose
2-7 committee that files under the monthly reporting schedule to file
2-8 reports under Section 254.154.

2-9 (d) A person is not required to file a campaign treasurer
2-10 appointment for making expenditures for which reporting is required
2-11 under this section, unless the person is otherwise required to file
2-12 a campaign treasurer appointment under this title.

2-13 Sec. 254.262. TRAVEL EXPENSE. A direct campaign
2-14 expenditure consisting of personal travel expenses incurred by a
2-15 person may be made without complying with Section 254.261.

2-16 SECTION 6. The following laws are repealed:

2-17 (1) Sections 253.002 and 253.097, Election Code;

2-18 (2) Subchapter C, Chapter 253, Election Code; and

2-19 (3) Section 254.036(f), Election Code.

2-20 SECTION 7. This Act takes effect immediately if it receives
2-21 a vote of two-thirds of all the members elected to each house, as
2-22 provided by Section 39, Article III, Texas Constitution. If this
2-23 Act does not receive the vote necessary for immediate effect, this
2-24 Act takes effect September 1, 2011.

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