

By: Zaffirini
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S.B. No. 1443

A BILL TO BE ENTITLED

AN ACT

relating to the mailing of notices, decisions, and reports by the Texas Ethics Commission.

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

SECTION 1. Subsection (b), Section 254.042, Election Code, is amended to read as follows:

(b) If a report other than a report under Section 254.064(c), 254.124(c), or 254.154(c) or the first report under Section 254.063, ~~[or]~~ 254.123, or 254.153 that is required to be filed following the primary or general election is determined to be late, the person required to file the report is liable to the state for a civil penalty of \$500. If a report under Section 254.064(c), 254.124(c), or 254.154(c) or the first report under Section 254.063, 254.123, or 254.153 that is required to be filed following the primary or general election is determined to be late, the person required to file the report is liable to the state for a civil penalty of \$500 for the first day the report is late and \$100 for each day thereafter that the report is late. If a report is more than 30 days late, the commission shall issue a warning of liability by certified ~~[registered]~~ mail to the person required to file the report. If the penalty is not paid before the 10th day after the date on which the warning is received, the person is liable for a civil penalty in an amount determined by commission rule, but not to exceed \$10,000.

1 SECTION 2. Section 571.032, Government Code, is amended to
2 read as follows:

3 Sec. 571.032. MAILING OF NOTICES, DECISIONS, AND REPORTS.

4 (a) The ~~[Except as provided by Subsection (b), each written~~
5 ~~notice, decision, and report required to be sent under this chapter~~
6 ~~shall be sent by registered or certified mail, restricted delivery,~~
7 ~~return receipt requested.~~

8 ~~[(b) After]~~ written notice under Section 571.123(b)
9 regarding the filing of a sworn complaint shall be ~~[has been]~~ sent
10 to a respondent by registered or certified mail, restricted
11 delivery, return receipt requested. ~~The [person in the manner~~
12 ~~required by Subsection (a), the]~~ commission may send the respondent
13 ~~[person]~~ any additional notices, decisions, or reports regarding
14 the complaint by regular mail ~~[unless the person has notified the~~
15 ~~commission to send all notices regarding the complaint by~~
16 ~~registered or certified mail, restricted delivery, return receipt~~
17 ~~requested].~~

18 (b) Any written notice, decision, or report required to be
19 sent under this chapter to a complainant may be sent by regular mail
20 or e-mail.

21 (c) Any notice regarding the status of a complaint required
22 to be sent under Section 571.1351(c) may be sent by e-mail.

23 SECTION 3. This Act takes effect September 1, 2011.