

By: Zaffirini

S.B. No. 1443

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

7 (b) If a report other than a report under Section  
8 254.064(c), 254.124(c), or 254.154(c) or the first report under  
9 Section 254.063, ~~[or]~~ 254.123, or 254.153 that is required to be  
10 filed following the primary or general election is determined to be  
11 late, the person required to file the report is liable to the state  
12 for a civil penalty of \$500. If a report under Section 254.064(c),  
13 254.124(c), or 254.154(c) or the first report under Section  
14 254.063, 254.123, or 254.153 that is required to be filed following  
15 the primary or general election is determined to be late, the person  
16 required to file the report is liable to the state for a civil  
17 penalty of \$500 for the first day the report is late and \$100 for  
18 each day thereafter that the report is late. If a report is more  
19 than 30 days late, the commission shall issue a warning of liability  
20 by certified ~~[registered]~~ mail to the person required to file the  
21 report. If the penalty is not paid before the 10th day after the  
22 date on which the warning is received, the person is liable for a  
23 civil penalty in an amount determined by commission rule, but not to  
24 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 notice,~~  
5 ~~decision, and report required to be sent under this chapter shall be~~  
6 ~~sent by registered or certified mail, restricted delivery, return~~  
7 ~~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.