

SENATE AMENDMENTS

2nd Printing

By: Geren, Flynn, King of Parker

H.B. No. 1616

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the reporting or providing of information, including
3 information relating to political contributions, political
4 expenditures, and personal financial information, by public
5 servants, political candidates and committees, and persons
6 required to register under the lobby registration law, and to
7 complaints filed with and the functions of the Texas Ethics
8 Commission.

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

10 SECTION 1. Section 254.031(a), Election Code, is amended to
11 read as follows:

12 (a) Except as otherwise provided by this chapter, each
13 report filed under this chapter must include:

14 (1) the amount of political contributions from each
15 person that in the aggregate exceed \$50 and that are accepted during
16 the reporting period by the person or committee required to file a
17 report under this chapter, the full name and address of the person
18 making the contributions, and the dates of the contributions;

19 (2) the amount of loans that are made during the
20 reporting period for campaign or officeholder purposes to the
21 person or committee required to file the report and that in the
22 aggregate exceed \$50, the dates the loans are made, the interest
23 rate, the maturity date, the type of collateral for the loans, if
24 any, the full name and address of the person or financial

1 institution making the loans, the full name and address, principal
2 occupation, and name of the employer of each guarantor of the loans,
3 the amount of the loans guaranteed by each guarantor, and the
4 aggregate principal amount of all outstanding loans as of the last
5 day of the reporting period;

6 (3) the amount of political expenditures that in the
7 aggregate exceed \$100 [~~\$50~~] and that are made during the reporting
8 period, the full name and address of the persons to whom the
9 expenditures are made, and the dates and purposes of the
10 expenditures;

11 (4) the amount of each payment made during the
12 reporting period from a political contribution if the payment is
13 not a political expenditure, the full name and address of the person
14 to whom the payment is made, and the date and purpose of the
15 payment;

16 (5) the total amount or a specific listing of the
17 political contributions of \$50 or less accepted and the total
18 amount or a specific listing of the political expenditures of \$100
19 [~~\$50~~] or less made during the reporting period;

20 (6) the total amount of all political contributions
21 accepted and the total amount of all political expenditures made
22 during the reporting period;

23 (7) the name of each candidate or officeholder who
24 benefits from a direct campaign expenditure made during the
25 reporting period by the person or committee required to file the
26 report, and the office sought or held, excluding a direct campaign
27 expenditure that is made by the principal political committee of a

1 political party on behalf of a slate of two or more nominees of that
2 party; [~~and~~]

3 (8) as of the last day of a reporting period for which
4 the person is required to file a report, the total amount of
5 political contributions accepted, including interest or other
6 income on those contributions, maintained in one or more accounts
7 in which political contributions are deposited as of the last day of
8 the reporting period;

9 (9) any of the following received during the reporting
10 period resulting from the use of a political contribution or an
11 asset purchased with a political contribution the amount of which
12 exceeds \$100:

13 (A) credit;

14 (B) interest;

15 (C) rebate;

16 (D) refund;

17 (E) reimbursement; or

18 (F) return of a deposit fee;

19 (10) any proceeds of the sale of an asset received
20 during the reporting period the amount of which exceeds \$100;

21 (11) any investment purchased with a political
22 contribution received during the reporting period the amount of
23 which exceeds \$100;

24 (12) any other gain from a political contribution
25 received during the reporting period the amount of which exceeds
26 \$100; and

27 (13) the full name and address of each person from whom

1 an amount described by Subdivisions (9), (10), (11), or (12) is
2 received, the date the amount is received, and the purpose for which
3 the amount is received.

4 SECTION 2. Subchapter B, Chapter 254, Election Code, is
5 amended by adding Section 254.0405 to read as follows:

6 Sec. 254.0405. AMENDMENT OF FILED REPORT. (a) A person who
7 files a semiannual report under this chapter may amend the report.

8 (b) A semiannual report that is amended before the eighth
9 day after the date the original report was filed is considered to
10 have been filed on the date on which the original report was filed.

11 (c) A semiannual report that is amended on or after the
12 eighth day after the original report was filed is considered to have
13 been filed on the date on which the original report was filed if:

14 (1) the amendment is made before any complaint is
15 filed with regard to the subject of the amendment; and

16 (2) the original report was made in good faith and
17 without an intent to mislead or to misrepresent the information
18 contained in the report.

19 SECTION 3. Section 254.041, Election Code, is amended by
20 adding Subsection (d) to read as follows:

21 (d) It is an exception to the application of Subsection
22 (a)(3) that:

23 (1) the information was required to be included in a
24 semiannual report; and

25 (2) the person amended the report within the time
26 prescribed by Section 254.0405(b) or under the circumstances
27 described by Section 254.0405(c).

1 SECTION 4. Section 305.005, Government Code, is amended by
2 adding Subsection (1) to read as follows:

3 (1) The registration form must include the full name and
4 address of each person who compensates or reimburses the registrant
5 or person acting as an agent for the registrant for services,
6 including political consulting services, rendered by the
7 registrant from:

8 (1) a political contribution as defined by Title 15,
9 Election Code;

10 (2) interest received from a political contribution as
11 defined by Title 15, Election Code; or

12 (3) an asset purchased with a political contribution
13 as defined by Title 15, Election Code.

14 SECTION 5. Subchapter C, Chapter 571, Government Code, is
15 amended by adding Sections 571.080 and 571.081 to read as follows:

16 Sec. 571.080. ASSISTANCE FOR CERTAIN FILERS. The
17 commission, using existing resources, must provide a service that
18 enables a candidate or officeholder required to file a report with
19 the commission under Section 254.063, 254.064, or 254.093, Election
20 Code, to speak to commission staff to assist the person in preparing
21 and filing the report. This service must be available beginning at
22 8 a.m. on the date of a deadline for filing a report with the
23 commission and ending at the deadline for filing the report.

24 Sec. 571.081. AVAILABILITY OF DIRECT TELEPHONE NUMBER OF
25 COMMISSION STAFF TO CERTAIN FILERS. An employee of the commission
26 shall on request provide the employee's direct telephone number to
27 a candidate or officeholder required to file a report with the

1 commission.

2 SECTION 6. Section 571.122, Government Code, is amended by
3 adding Subsection (e) to read as follows:

4 (e) It is not a valid basis of a complaint to allege that a
5 report required under Chapter 254, Election Code, contains the
6 improper name or address of a person from whom a political
7 contribution was received if the name or address in the report is
8 the same as the name or address that appears on the check for the
9 political contribution.

10 SECTION 7. Subchapter E, Chapter 571, Government Code, is
11 amended by adding Section 571.1222 to read as follows:

12 Sec. 571.1222. DISMISSAL OF COMPLAINT CHALLENGING CERTAIN
13 INFORMATION IN POLITICAL REPORT. At any stage of a proceeding under
14 this subchapter, the commission shall dismiss a complaint alleging
15 that a report required under Chapter 254, Election Code, contains
16 the improper name or address of a person from whom a political
17 contribution was received if the name or address in the report is
18 the same as the name or address that appears on the check for the
19 political contribution.

20 SECTION 8. Section 571.123(b), Government Code, is amended
21 to read as follows:

22 (b) After a complaint is filed, the commission shall
23 immediately attempt to contact and notify the respondent of the
24 complaint by telephone or electronic mail. Not later than the
25 fifth business day after the date a complaint is filed, the
26 commission shall send written notice to the complainant and the
27 respondent. The written notice to the complainant and the

1 respondent must:

2 (1) state whether the complaint complies with the form
3 requirements of Section 571.122;

4 (2) if the respondent is a candidate or officeholder,
5 state the procedure by which the respondent may designate an agent
6 with whom commission staff may discuss the complaint;

7 (3) if the respondent is a candidate or officeholder,
8 state that the respondent may request the direct telephone number
9 of the commission staff member who will perform the processing of
10 the complaint against the respondent; and

11 (4) [~~2~~] if applicable, include the information
12 required by Section 571.124(e).

13 SECTION 9. Subchapter E, Chapter 571, Government Code, is
14 amended by adding Sections 571.1231 and 571.1232 to read as
15 follows:

16 Sec. 571.1231. DESIGNATION OF AGENT BY CERTAIN RESPONDENTS.

17 (a) This section applies only to a respondent who is a candidate or
18 officeholder.

19 (b) A respondent to a complaint filed against the respondent
20 may by writing submitted to the commission designate an agent with
21 whom the commission staff may communicate regarding the complaint.

22 (c) For purposes of this subchapter, including Section
23 571.140, communications with the respondent's agent designated
24 under this section are considered communications with the
25 respondent.

26 Sec. 571.1232. PROVISION OF TELEPHONE NUMBER TO CERTAIN
27 RESPONDENTS. (a) This section applies only to a respondent who is

1 a candidate or officeholder.

2 (b) On request, the commission shall provide to a respondent
3 the direct telephone number of the commission staff member who will
4 perform the processing of the complaint against the respondent.

5 SECTION 10. Section 145.003, Local Government Code, is
6 amended by amending Subsection (a) and adding Subsection (c) to
7 read as follows:

8 (a) Except as provided by Subsection (c), a [A] municipal
9 officer or a candidate for a municipal office filled by election
10 shall file a financial statement as required by this chapter.

11 (c) A municipal officer who does not receive compensation
12 for serving as an officer or a candidate for such an office is not
13 required to file a financial statement under this chapter.

14 SECTION 11. Section 159.003(b), Local Government Code, is
15 amended to read as follows:

16 (b) The statement must:

17 (1) be filed with the county clerk of the county in
18 which the officer, justice, or candidate resides; and

19 (2) comply with Sections 572.022 and 572.023,
20 Government Code, and with the requirements set forth by any
21 commissioners court order requiring additional disclosures.

22 SECTION 12. Section 11.064, Education Code, is repealed.

23 SECTION 13. Section 159.034(c), Local Government Code, is
24 repealed.

25 SECTION 14. Section 335.1085, Local Government Code, is
26 repealed.

27 SECTION 15. (a) Section 254.031(a), Election Code, as

1 amended by this Act, applies only to a report under Chapter 254,
2 Election Code, that is required to be filed on or after the
3 effective date of this Act. A report under Chapter 254, Election
4 Code, that is required to be filed before the effective date of this
5 Act is governed by the law in effect on the date the report is
6 required to be filed, and the former law is continued in effect for
7 that purpose.

8 (b) Section 305.005(1), Government Code, as added by this
9 Act, applies only to compensation or reimbursement received by a
10 registrant under Chapter 305, Government Code, on or after the
11 effective date of this Act.

12 SECTION 16. The change in law made by this Act to Section
13 254.041, Election Code, applies only to an offense committed on or
14 after the effective date of this Act. For purposes of this section,
15 an offense is committed before the effective date of this Act if any
16 element of the offense occurs before the effective date. An offense
17 committed before the effective date of this Act is covered by the
18 law in effect when the offense was committed, and the former law is
19 continued in effect for that purpose.

20 SECTION 17. (a) Section 145.003, Local Government Code, as
21 amended by this Act, applies only to the filing by a municipal
22 officer or candidate of a financial statement that covers the 2011
23 or a later calendar year. The filing by a municipal officer or
24 candidate of a financial statement that covers the 2010 calendar
25 year is governed by the law in effect on January 1, 2011, and the
26 former law is continued in effect for that purpose.

27 (b) The repeal by this Act of Section 11.064, Education

1 Code, applies only to the filing by a school district trustee of a
2 financial statement that covers the 2011 or a later calendar year.
3 The filing by a school district trustee of a financial statement
4 that covers the 2010 calendar year is governed by the law in effect
5 on January 1, 2011, and the former law is continued in effect for
6 that purpose.

7 (c) The repeal by this Act of Section 335.1085, Local
8 Government Code, applies only to the filing by a director of a venue
9 district of a financial statement that covers the 2011 or a later
10 calendar year. The filing by a director of a venue district of a
11 financial statement that covers the 2010 calendar year is governed
12 by the law in effect on January 1, 2011, and the former law is
13 continued in effect for that purpose.

14 SECTION 18. This Act takes effect September 1, 2011.

ADOPTED

MAY 23 2011

Atty Gen
Secretary of the Senate

By: ESTES

H.B. No. 1616

Substitute the following for H.B. No. 1616:

By: Robert Duncan

C.S.H.B. No. 1616

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the reporting of political contributions, political
3 expenditures, and personal financial information, and to
4 complaints filed with the Texas Ethics Commission.

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

6 SECTION 1. Section 254.031(a), Election Code, is amended to
7 read as follows:

8 (a) Except as otherwise provided by this chapter, each
9 report filed under this chapter must include:

10 (1) the amount of political contributions from each
11 person that in the aggregate exceed \$50 and that are accepted during
12 the reporting period by the person or committee required to file a
13 report under this chapter, the full name and address of the person
14 making the contributions, and the dates of the contributions;

15 (2) the amount of loans that are made during the
16 reporting period for campaign or officeholder purposes to the
17 person or committee required to file the report and that in the
18 aggregate exceed \$50, the dates the loans are made, the interest
19 rate, the maturity date, the type of collateral for the loans, if
20 any, the full name and address of the person or financial
21 institution making the loans, the full name and address, principal
22 occupation, and name of the employer of each guarantor of the loans,
23 the amount of the loans guaranteed by each guarantor, and the
24 aggregate principal amount of all outstanding loans as of the last

1 day of the reporting period;

2 (3) the amount of political expenditures that in the
3 aggregate exceed \$100 [~~\$50~~] and that are made during the reporting
4 period, the full name and address of the persons to whom the
5 expenditures are made, and the dates and purposes of the
6 expenditures;

7 (4) the amount of each payment made during the
8 reporting period from a political contribution if the payment is
9 not a political expenditure, the full name and address of the person
10 to whom the payment is made, and the date and purpose of the
11 payment;

12 (5) the total amount or a specific listing of the
13 political contributions of \$50 or less accepted and the total
14 amount or a specific listing of the political expenditures of \$100
15 [~~\$50~~] or less made during the reporting period;

16 (6) the total amount of all political contributions
17 accepted and the total amount of all political expenditures made
18 during the reporting period;

19 (7) the name of each candidate or officeholder who
20 benefits from a direct campaign expenditure made during the
21 reporting period by the person or committee required to file the
22 report, and the office sought or held, excluding a direct campaign
23 expenditure that is made by the principal political committee of a
24 political party on behalf of a slate of two or more nominees of that
25 party; [~~and~~]

26 (8) as of the last day of a reporting period for which
27 the person is required to file a report, the total amount of

1 political contributions accepted, including interest or other
2 income on those contributions, maintained in one or more accounts
3 in which political contributions are deposited as of the last day of
4 the reporting period;

5 (9) any credit, interest, rebate, refund,
6 reimbursement, or return of a deposit fee resulting from the use of
7 a political contribution or an asset purchased with a political
8 contribution received during the reporting period and the amount of
9 which exceeds \$100;

10 (10) any proceeds of the sale of an asset purchased
11 with a political contribution received during the reporting period
12 and the amount of which exceeds \$100;

13 (11) any investment purchased with a political
14 contribution received during the reporting period and the amount of
15 which exceeds \$100;

16 (12) any other gain from a political contribution
17 received during the reporting period and the amount of which
18 exceeds \$100; and

19 (13) the full name and address of each person from whom
20 an amount described by Subdivision (9), (10), (11), or (12) is
21 received, the date the amount is received, and the purpose for which
22 the amount is received.

23 SECTION 2. Subchapter B, Chapter 254, Election Code, is
24 amended by adding Section 254.0405 to read as follows:

25 Sec. 254.0405. AMENDMENT OF FILED REPORT. (a) A person who
26 files a semiannual report under this chapter may amend the report.

27 (b) A semiannual report that is amended before the eighth

1 day after the date the original report was filed is considered to
2 have been filed on the date on which the original report was filed.

3 (c) A semiannual report that is amended on or after the
4 eighth day after the original report was filed is considered to have
5 been filed on the date on which the original report was filed if:

6 (1) the amendment is made before any complaint is
7 filed with regard to the subject of the amendment; and

8 (2) the original report was made in good faith and
9 without an intent to mislead or to misrepresent the information
10 contained in the report.

11 SECTION 3. Section 254.041, Election Code, is amended by
12 adding Subsection (d) to read as follows:

13 (d) It is an exception to the application of Subsection
14 (a)(3) that:

15 (1) the information was required to be included in a
16 semiannual report; and

17 (2) the person amended the report within the time
18 prescribed by Section 254.0405(b) or under the circumstances
19 described by Section 254.0405(c).

20 SECTION 4. Section 571.122, Government Code, is amended by
21 adding Subsection (e) to read as follows:

22 (e) It is not a valid basis of a complaint to allege that a
23 report required under Chapter 254, Election Code, contains the
24 improper name or address of a person from whom a political
25 contribution was received if the name or address in the report is
26 the same as the name or address that appears on the check for the
27 political contribution.

1 SECTION 5. Subchapter E, Chapter 571, Government Code, is
2 amended by adding Section 571.1222 to read as follows:

3 Sec. 571.1222. DISMISSAL OF COMPLAINT CHALLENGING CERTAIN
4 INFORMATION IN POLITICAL REPORT. At any stage of a proceeding under
5 this subchapter, the commission shall dismiss a complaint to the
6 extent the complaint alleges that a report required under Chapter
7 254, Election Code, contains the improper name or address of a
8 person from whom a political contribution was received if the name
9 or address in the report is the same as the name or address that
10 appears on the check for the political contribution.

11 SECTION 6. Section 571.123(b), Government Code, is amended
12 to read as follows:

13 (b) After a complaint is filed, the commission shall
14 immediately attempt to contact and notify the respondent of the
15 complaint by telephone or electronic mail. Not later than the
16 fifth business day after the date a complaint is filed, the
17 commission shall send written notice to the complainant and the
18 respondent. The written notice to the complainant and the
19 respondent must:

20 (1) state whether the complaint complies with the form
21 requirements of Section 571.122;

22 (2) if the respondent is a candidate or officeholder,
23 state the procedure by which the respondent may designate an agent
24 with whom commission staff may discuss the complaint; and

25 (3) [~~4~~] if applicable, include the information
26 required by Section 571.124(e).

27 SECTION 7. Subchapter E, Chapter 571, Government Code, is

1 amended by adding Section 571.1231 to read as follows:

2 Sec. 571.1231. DESIGNATION OF AGENT BY CERTAIN RESPONDENTS.

3 (a) This section applies only to a respondent who is a candidate or
4 officeholder.

5 (b) A respondent to a complaint filed against the respondent
6 may by writing submitted to the commission designate an agent with
7 whom the commission staff may communicate regarding the complaint.

8 (c) For purposes of this subchapter, including Section
9 571.140, communications with the respondent's agent designated
10 under this section are considered communications with the
11 respondent.

12 SECTION 8. Section 159.003(b), Local Government Code, is
13 amended to read as follows:

14 (b) The statement must:

15 (1) be filed with the county clerk of the county in
16 which the officer, justice, or candidate resides; and

17 (2) comply with Sections 572.022 and 572.023,
18 Government Code, and with any order of the commissioners court of
19 the county requiring additional disclosures.

20 SECTION 9. Section 254.031(a), Election Code, as amended by
21 this Act, applies only to a report under Chapter 254, Election Code,
22 that is required to be filed on or after the effective date of this
23 Act. A report under Chapter 254, Election Code, that is required to
24 be filed before the effective date of this Act is governed by the
25 law in effect on the date the report is required to be filed, and the
26 former law is continued in effect for that purpose.

27 SECTION 10. Section 254.041, Election Code, as amended by

1 this Act, applies only to an offense committed on or after the
2 effective date of this Act. For purposes of this section, an
3 offense is committed before the effective date of this Act if any
4 element of the offense occurs before the effective date. An offense
5 committed before the effective date of this Act is covered by the
6 law in effect when the offense was committed, and the former law is
7 continued in effect for that purpose.

8 SECTION 11. This Act takes effect September 1, 2011.

3rd Reading

ADOPTED

MAY 23 2011

Atalay Spaw
Secretary of the Senate

BY:

Jackson

FLOOR AMENDMENT NO. 1

Amend C.S.H.B. No. 1616 (senate committee printing) as follows:

(1) In SECTION 6 of the bill, amending Section 571.123(b), Government Code (page 3, line 6), strike "and" and substitute "[and]".

(2) In SECTION 6 of the bill, amending Section 571.123(b), Government Code (page 3, line 8), between "Section 571.124(e)" and the period, insert the following:

; and

business

(4) if applicable, state that the respondent has ¹⁴~~10~~ calendar days to correct the report that is the basis of the complaint, as provided by Section 254.0406, Election Code

(3) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Subchapter B, Chapter 254, Election Code, is amended by adding Section 254.0406 to read as follows:

Sec. 254.0406. CORRECTION OF FILED REPORT. A person who files a report under this chapter may correct the report if:

(1) the correction is made not later than the 14th business day after the person receives written notice of a complaint filed with the commission with regard to the report; and

(2) the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

SECTION _____. Subchapter E, Chapter 571, Government Code, is amended by adding Section 571.1223 to read as follows:

Sec. 571.1223. DISMISSAL OF COMPLAINT AFTER CORRECTION OF

POLITICAL REPORT. If, not later than the 14th business day after a person receives written notice of a complaint alleging that the person failed to properly file a report required under Chapter 254, Election Code, the person corrects the report that is the basis of the complaint, the commission shall dismiss the complaint, provided that the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

SECTION _____. Section 571.124, Government Code, is amended by amending Subsection (a) and adding Subsection (g) to read as follows:

(a) Except as provided by Subsection (g), the [The] commission staff shall promptly conduct a preliminary review on receipt of a written complaint that is in compliance with the form requirements of Section 571.122.

(g) The commission may not conduct a preliminary review of a complaint alleging that a person failed to properly file a report required under Chapter 254, Election Code, until the period for correcting the report has expired as provided by Section 254.0406, Election Code.

(4) Renumber the subsequent SECTIONS of the bill accordingly.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 25, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1616 by Geren (Relating to the reporting of political contributions, political expenditures, and personal financial information, and to complaints filed with the Texas Ethics Commission.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Election Code to make additions to the list of information that must be included on campaign finance reports filed with the Texas Ethics Commission (Commission), and changes the reporting threshold for political contributions from \$50 to \$100. The bill would also change the procedures for filing amended reports to the Commission, and revise the procedures for dismissal of complaints challenging certain information in political reports made to the Commission. Finally, the bill would allow filers 14 business days to correct a report that is the basis of a sworn complaint if the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report. The bill would require that the complaint be dismissed by the Commission after the report is corrected. The Commission anticipates that this could result in up to a 90 percent reduction in the amount of fines assessed and collected from sworn complaints.

It is anticipated that the increase in the reporting threshold could result in some savings due to decreased filings with the Commission. It is also anticipated that any additional costs associated with implementation of the legislation could be absorbed within existing resources.

The bill would take effect September 1, 2011.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 356 Texas Ethics Commission

LBB Staff: JOB, KJG, MS, DEH, JT

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 18, 2011

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1616 by Geren (Relating to the reporting of political contributions, political expenditures, and personal financial information, and to complaints filed with the Texas Ethics Commission.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Election Code to make additions to the list of information that must be included on campaign finance reports filed with the Texas Ethics Commission (Commission), and changes the reporting threshold for political contributions from \$50 to \$100. The bill would also change the procedures for filing amended reports to the Commission. Finally, the bill would revise the procedures for dismissal of complaints challenging certain information in political reports made to the Commission.

It is anticipated that the increase in the reporting threshold could result in some savings due to decreased filings with the Commission. It is also anticipated that any additional costs associated with implementation of the legislation could be absorbed within existing resources.

The bill would take effect September 1, 2011.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 356 Texas Ethics Commission

LBB Staff: JOB, KJG, MS, DEH, JT

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 15, 2011

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1616 by Geren (Relating to the reporting or providing of information, including information relating to political contributions, political expenditures, and personal financial information, by public servants, political candidates and committees, and persons required to register under the lobby registration law, and to complaints filed with and the functions of the Texas Ethics Commission.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Election Code to make additions to the list of information that must be included on campaign finance reports filed with the Texas Ethics Commission (Commission), and changes the reporting threshold for political contributions from \$50 to \$100. The bill would also change the procedures for filing amended reports to the Commission. The bill also would amend Government Code to add information that must be provided to the Commission by those registering as lobbyists. The bill would require the Commission to use existing resources to provide after hours assistance to filers and make the direct telephone numbers of Commission staff available upon request. Finally, the bill would revise the procedures for dismissal of complaints challenging certain information in political reports made to the Commission.

The bill would require the Commission to make programming changes to the online forms and software used by the Commission. The agency reports that the implementation of these programming changes could temporarily delay the implementation of other information technology projects at the agency. It is anticipated that the increase in the reporting threshold could result in some savings due to decreased filings with the Commission. It is also anticipated that any additional costs associated with implementation of the legislation could be absorbed within existing resources.

The bill would take effect September 1, 2011.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 356 Texas Ethics Commission

LBB Staff: JOB, KJG, MS, DEH, JT

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 6, 2011

TO: Honorable Larry Taylor, Chair, House Committee on Elections

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1616 by Geren (relating to the reporting of political contributions and expenditures.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend Election Code, Section 254.032(a) to make additions to the list of contributions that must be included on campaign finance reports filed with the Texas Ethics Commission. Specifically, it adds (a) any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution; (b) any proceeds of the sale of an asset or investment purchased with a political contribution; and (c) any other gain received from a political contribution. In addition, the full name and address from whom the amount is received, the date the amount was received, and the purpose for which the amount was received must also be provided in the report. The bill also would amend Government Code, Section 305.005 to add information that must be provided to the Texas Ethics Commission by those registering as lobbyists. Specifically, the lobbyist registration form would now include the full name and address of each person who pays the lobbyist for any reason from (a) a political contribution; (b) interest received from a political contribution; or (c) an asset purchased with a political contribution.

The legislation would not require any changes to be made to the campaign finance reports currently filed with the Texas Ethics Commission. However, the bill would require the Texas Ethics Commission to make programming changes to the online forms and software used in the registration of lobbyists. The agency reports that the implementation of these programming changes could temporarily delay the implementation of other information technology projects at the agency, but it is anticipated that any additional costs associated with implementation of the legislation could be absorbed within existing resources.

The bill would take effect September 1, 2011.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 356 Texas Ethics Commission

LBB Staff: JOB, JT, MS, DEH

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 28, 2011

TO: Honorable Larry Taylor, Chair, House Committee on Elections

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1616 by Geren (Relating to the reporting of political contributions and expenditures.), **As Introduced**

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