

BILL ANALYSIS

S.B. 346
By: Seliger
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties assert there is a need to set out statutory political reporting requirements for certain persons who do not meet the definition of a political committee. S.B. 346 seeks to address this concern. .

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 346 amends the Election Code to establish that a person or a group of persons accepts political contributions if its members or donors make a payment, including dues, to the person or group of persons and, at the time of making the payments, the members or donors have reason to know that their payments may be used to make political contributions or political expenditures or may be commingled with other funds used to make political contributions or political expenditures. The bill specifies that its provisions apply only to a person or a group of persons that does not meet the definition of a political committee; accepts political contributions as established by the bill; and makes one or more political expenditures, excluding certain authorized expenditures, that in the aggregate exceed \$25,000 during a calendar year. The bill specifies that its provisions do not apply to a labor organization or any subordinate entity or associated account of a labor organization.

S.B. 346 requires a person or group of persons to comply with statutory provisions relating to political reporting as if the person or group of persons were the campaign treasurer of a general-purpose committee that does not file monthly reports as an alternative to the semiannual reports and additional reports for participation in an election. The bill specifies that a person or group of persons is not required to file a campaign treasurer appointment for making expenditures or contributions for which reporting is required under the bill's provisions relating to reporting requirements unless the person is otherwise required to file a campaign treasurer appointment under the statutory provisions regulating political funds and campaigns. The bill specifies that a person or group of persons is not required to file a report under the bill's provisions if the person or group of persons is required to disclose the expenditure or contribution in another report required under statutory provisions regulating political funds and campaigns within the time applicable under the bill's provisions relating to reporting requirements for reporting the expenditure or contribution or if no reportable activity occurs during the reporting period.

S.B. 346 specifies that the itemization of political contributions from a person that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under statutory provisions relating to political reporting is required only if the contribution exceeds \$1,000 during the reporting period. The bill requires the first report required to be filed in a calendar year in which the \$25,000 threshold under the bill's provisions is exceeded to include all political contributions accepted and all political

expenditures made in that calendar year.

S.B. 346 specifies that statutory provisions relating to a direct campaign expenditure exceeding \$100 do not apply to a person to whom the bill's provisions apply.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.