

By: Turner of Tarrant

H.B. No. 2191

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of political contributions and expenditures.

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

SECTION 1. Section 251.001, Election Code, is amended by adding Subdivision (21) to read as follows:

(21) "In-kind contribution" means a contribution of goods, services, or any other thing of value, except money.

SECTION 2. Sections 252.0011(c) and (d), Election Code, are amended to read as follows:

(c) Subsection (a) does not apply to a person if, in any quarterly [~~semiannual~~] reporting period prescribed by Chapter 254:

(1) the political committee in connection with which the person's ineligibility arose did not accept political contributions that in the aggregate exceed \$2,500 [~~\$5,000~~] or make political expenditures that in the aggregate exceed \$2,500 [~~\$5,000~~]; and

(2) the candidate who or political committee that subsequently appoints the person does not accept political contributions that in the aggregate exceed \$2,500 [~~\$5,000~~] or make political expenditures that in the aggregate exceed \$2,500 [~~\$5,000~~].

(d) Subsection (c) applies to a person who is the campaign treasurer of a general-purpose committee regardless of whether the

1 committee files monthly reports under Section 254.155. For
2 purposes of this subsection, political contributions accepted and
3 political expenditures made during a monthly reporting period are
4 aggregated with political contributions accepted and political
5 expenditures made in each other monthly reporting period that
6 corresponds to the quarterly [~~semiannual~~] reporting period that
7 contains those months.

8 SECTION 3. Section 254.031, Election Code, is amended by
9 amending Subsection (a) and adding Subsection (c) to read as
10 follows:

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

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

18 (2) the amount of loans that are made during the
19 reporting period for campaign or officeholder purposes to the
20 person or committee required to file the report and that in the
21 aggregate exceed \$50, the dates the loans are made, the interest
22 rate, the maturity date, the type of collateral for the loans, if
23 any, the full name and address of the person or financial
24 institution making the loans, the full name and address, principal
25 occupation, and name of the employer of each guarantor of the loans,
26 the amount of the loans guaranteed by each guarantor, and the
27 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 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 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;

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

1 from subtracting any payment for a political expenditure made
2 through a negotiable instrument, credit card, or similar method
3 that has not yet been processed from the total amount of political
4 contributions accepted and deposited, including interest or other
5 income on those contributions, maintained in one or more accounts
6 in which political contributions are deposited as of the last day of
7 the reporting period;

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

13 (10) any proceeds of the sale of an asset purchased
14 with a political contribution that is received during the reporting
15 period and the amount of which exceeds \$100;

16 (11) any investment purchased with a political
17 contribution that is received during the reporting period and the
18 amount of which exceeds \$100;

19 (12) any other gain from a political contribution that
20 is received during the reporting period and the amount of which
21 exceeds \$100; ~~and~~

22 (13) the full name and address of each person from whom
23 an amount described by Subdivision (9), (10), (11), or (12) is
24 received, the date the amount is received, and the purpose for which
25 the amount is received;

26 (14) the amount of in-kind political contributions
27 from each person that in the aggregate exceed \$50 and that are used

1 or expended during the reporting period and the date and purpose of
2 such use or expenditure; and

3 (15) the amount of each bill or invoice that has been
4 assessed but for which payment has not yet been made.

5 (c) For purposes of Subsections (a)(3) and (4), the date of
6 an expenditure or payment made with a credit card is the date of the
7 purchase.

8 SECTION 4. Section 254.0401(a), Election Code, is amended
9 to read as follows:

10 (a) The commission shall make each report filed with the
11 commission under Section 254.036(b) available to the public on the
12 Internet as soon as practicable after [~~not later than the second~~
13 ~~business day after the date~~] the report is filed.

14 SECTION 5. Section 254.0405, Election Code, is amended to
15 read as follows:

16 Sec. 254.0405. AMENDMENT OF FILED REPORT. (a) A person
17 who files a quarterly or semiannual report under this chapter may
18 amend the report.

19 (b) A quarterly or semiannual report that is amended before
20 the eighth day after the date the original report was filed is
21 considered to have been filed on the date on which the original
22 report was filed.

23 (c) A quarterly or semiannual report that is amended on or
24 after the eighth day after the original report was filed is
25 considered to have been filed on the date on which the original
26 report was filed if:

27 (1) the amendment is made before any complaint is

1 filed with regard to the subject of the amendment; and

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

5 SECTION 6. Section 254.041(d), Election Code, is amended to
6 read as follows:

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

9 (1) the information was required to be included in a
10 quarterly or semiannual report; and

11 (2) the person amended the report within the time
12 prescribed by Section 254.0405(b) or under the circumstances
13 described by Section 254.0405(c).

14 SECTION 7. Section 254.063, Election Code, is amended to
15 read as follows:

16 Sec. 254.063. QUARTERLY [~~SEMIANNUAL~~] REPORTING SCHEDULE
17 FOR CANDIDATE. (a) A candidate shall file four [~~two~~] reports for
18 each year as provided by this section.

19 (b) The first report shall be filed not later than April
20 [~~July~~] 15. The report covers the period beginning January 1, the
21 day the candidate's campaign treasurer appointment is filed, or the
22 first day after the period covered by the last report required to be
23 filed under this subchapter, as applicable, and continuing through
24 March 31 [~~June 30~~].

25 (c) The second report shall be filed not later than July
26 [~~January~~] 15. The report covers the period beginning April [~~July~~]
27 1, the day the candidate's campaign treasurer appointment is filed,

1 or the first day after the period covered by the last report
2 required to be filed under this subchapter, as applicable, and
3 continuing through June 30 [~~December 31~~].

4 (d) The third report shall be filed not later than October
5 15. The report covers the period beginning July 1, the day the
6 candidate's campaign treasurer appointment is filed, or the first
7 day after the period covered by the last report required to be filed
8 under this subchapter, as applicable, and continuing through
9 September 30.

10 (e) The fourth report shall be filed not later than January
11 15. The report covers the period beginning October 1, the day the
12 candidate's campaign treasurer appointment is filed, or the first
13 day after the period covered by the last report required to be filed
14 under this subchapter, as applicable, and continuing through
15 December 31.

16 SECTION 8. Section 254.123, Election Code, is amended to
17 read as follows:

18 Sec. 254.123. QUARTERLY [~~SEMIANNUAL~~] REPORTING SCHEDULE
19 FOR COMMITTEE. (a) The campaign treasurer of a specific-purpose
20 committee shall file four [~~two~~] reports for each year as provided by
21 this section.

22 (b) The first report shall be filed not later than April
23 [~~July~~] 15. The report covers the period beginning January 1, the
24 day the committee's campaign treasurer appointment is filed, or the
25 first day after the period covered by the last report required to be
26 filed under this subchapter, as applicable, and continuing through
27 March 31 [~~June 30~~].

1 (c) The second report shall be filed not later than July
2 ~~[January]~~ 15. The report covers the period beginning April ~~[July]~~
3 1, the day the committee's campaign treasurer appointment is filed,
4 or the first day after the period covered by the last report
5 required to be filed under this subchapter, as applicable, and
6 continuing through June 30 ~~[December 31]~~.

7 (d) The third report shall be filed not later than October
8 15. The report covers the period beginning July 1, the day the
9 committee's campaign treasurer appointment is filed, or the first
10 day after the period covered by the last report required to be filed
11 under this subchapter, as applicable, and continuing through
12 September 30.

13 (e) The fourth report shall be filed not later than January
14 15. The report covers the period beginning October 1, the day the
15 committee's campaign treasurer appointment is filed, or the first
16 day after the period covered by the last report required to be filed
17 under this subchapter, as applicable, and continuing through
18 December 31.

19 SECTION 9. Section 254.153, Election Code, is amended to
20 read as follows:

21 Sec. 254.153. QUARTERLY ~~[SEMIANNUAL]~~ REPORTING SCHEDULE
22 FOR COMMITTEE. (a) The campaign treasurer of a general-purpose
23 committee shall file four ~~[two]~~ reports for each year as provided by
24 this section.

25 (b) The first report shall be filed not later than April
26 ~~[July]~~ 15. The report covers the period beginning January 1, the
27 day the committee's campaign treasurer appointment is filed, or the

1 first day after the period covered by the last report required to be
2 filed under this subchapter, as applicable, and continuing through
3 March 31 [~~June 30~~].

4 (c) The second report shall be filed not later than July
5 [~~January~~] 15. The report covers the period beginning April [~~July~~]
6 1, the day the committee's campaign treasurer appointment is filed,
7 or the first day after the period covered by the last report
8 required to be filed under this subchapter, as applicable, and
9 continuing through June 30 [~~December 31~~].

10 (d) The third report shall be filed not later than October
11 15. The report covers the period beginning July 1, the day the
12 committee's campaign treasurer appointment is filed, or the first
13 day after the period covered by the last report required to be filed
14 under this subchapter, as applicable, and continuing through
15 September 30.

16 (e) The fourth report shall be filed not later than January
17 15. The report covers the period beginning October 1, the day the
18 committee's campaign treasurer appointment is filed, or the first
19 day after the period covered by the last report required to be filed
20 under this subchapter, as applicable, and continuing through
21 December 31.

22 SECTION 10. Section 254.184(b), Election Code, is amended
23 to read as follows:

24 (b) A candidate or committee filing under this subchapter is
25 not required to file any reports of political contributions and
26 political expenditures other than the quarterly [~~semiannual~~]
27 reports required to be filed not later than April 15, July 15,

1 October 15, and January 15.

2 SECTION 11. Sections 254.0401(b) and (f), Election Code,
3 are repealed.

4 SECTION 12. This Act takes effect January 1, 2014.