

By: Anchia

H.B. No. 2505

A BILL TO BE ENTITLED

1 AN ACT
2 relating to political contribution limits in connection with
3 certain offices of state government.

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

5 SECTION 1. Subchapter B, Chapter 253, Election Code, is
6 amended by adding Section 253.044 to read as follows:

7 Sec. 253.044. CONTRIBUTION LIMITS FOR CERTAIN OFFICES. (a)
8 In this section, "election cycle" means the period beginning on
9 January 1 of an odd-numbered year and ending on December 31 of the
10 following even-numbered year.

11 (b) This section applies to a candidate for or officeholder
12 of:

13 (1) a statewide office in the executive branch;

14 (2) the office of state senator;

15 (3) the office of state representative; or

16 (4) the office of member, State Board of Education.

17 (c) A person may not make political contributions to a
18 single candidate or officeholder that in the aggregate exceed
19 \$100,000 in an election cycle. A candidate or officeholder may not
20 knowingly accept political contributions from a person that in the
21 aggregate exceed \$100,000 in an election cycle.

22 (d) Notwithstanding Section 254.034, a person who receives
23 a political contribution that violates Subsection (c) shall return
24 the contribution to the contributor not later than the later of:

1 (1) the last day of the reporting period in which the
2 contribution is received; or

3 (2) the fifth day after the date the contribution is
4 received.

5 (e) For purposes of this section, a contribution made by the
6 child of an individual is considered to be a contribution by the
7 individual. In this subsection, "child" means a person younger
8 than 18 years of age who is not and has not been married or who has
9 not had the disabilities of minority removed for general purposes.

10 (f) A contribution made to a specific-purpose committee
11 supporting a candidate, opposing the candidate's opponent, or
12 assisting the candidate as an officeholder is considered to be a
13 contribution to the candidate for purposes of this section unless
14 the candidate files with the authority with whom the candidate's
15 campaign treasurer appointment is filed an affidavit stating that
16 the committee acts independently of the candidate. A candidate may
17 file a single affidavit for each committee and is not required to
18 file an affidavit for each contribution made to a committee.

19 (g) For purposes of this section, an expenditure by a
20 general-purpose committee for the purpose of supporting a
21 candidate, opposing the candidate's opponent, or assisting the
22 candidate as an officeholder is considered to be a contribution to
23 the candidate unless the campaign treasurer of the general-purpose
24 committee, in an affidavit filed with the authority with whom the
25 candidate's campaign treasurer appointment is required to be filed,
26 states that the committee has not directly or indirectly
27 communicated with the candidate's campaign, including the

1 candidate, an aide to the candidate, a campaign officer, or a
2 campaign consultant, or a specific-purpose committee in regard to a
3 strategic matter, including polling data, advertising, or voter
4 demographics, in connection with the candidate's campaign.

5 SECTION 2. Section 253.044, Election Code, as added by this
6 Act, applies only to a political contribution accepted on or after
7 the effective date of this Act. A political contribution accepted
8 before the effective date of this Act is governed by the law in
9 effect on the date the contribution was accepted and is not
10 aggregated with political contributions accepted on or after the
11 effective date of this Act.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2013.