

By: Martinez Fischer

H.B. No. 3720

A BILL TO BE ENTITLED

AN ACT

relating to certain limitations on a journalist's qualified privilege not to testify.

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

SECTION 1. Section 22.023, Civil Practice and Remedies Code, is amended by adding Subsection (c) to read as follows:

(c) A person is not acting as a journalist for purposes of this section if, in relation to the subject of the official proceeding:

(1) the person, during the four years immediately preceding the events that are the subject of the official proceeding, makes direct campaign expenditures, as defined by Section 251.001, Election Code;

(2) the person, during the 12 months immediately preceding the events that are the subject of the official proceeding, makes contributions to or expenditures for administrative or other expenses of a political committee, as defined by Section 251.001, Election Code, that exceed an aggregate of \$250;

(3) the federal Internal Revenue Service Form 990, or any subsequent form with a different number or designation that provides substantially the same information, of the person or another entity states that the person is related to a tax-exempt or taxable entity and the related entity is described by Subdivision

1 (1) or (2); or

2 (4) the person's work product is produced as an
3 employee or contractor or under the control of a person described by
4 Subdivision (1), (2), or (3), or the person acts on behalf of a
5 person described by Subdivision (1), (2), or (3).

6 SECTION 2. The change in law made by this Act applies only
7 with respect to testimony regarding or production or disclosure of
8 information, documents, or items, or the source of any information,
9 document, or item, obtained or prepared on or after the effective
10 date of this Act. Testimony regarding and production or disclosure
11 of information, documents, or items, or the source of any
12 information, document, or item, obtained or prepared before the
13 effective date of this Act is governed by the law as it existed
14 immediately before the effective date of this Act, and that law is
15 continued in effect for that purpose.

16 SECTION 3. This Act takes effect September 1, 2013.