

House Bill 1035
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 254.036, Election Code, is amended by adding Subsection (f) to read as follows:

(f) In prescribing the format of a report filed under this chapter with an authority other than the commission, the commission shall ensure that:

(1) a report may be filed:

(A) by first-class United States mail or common or contract carrier;

(B) by personal delivery; or

(C) by electronic filing, if the authority with whom the report is required to be filed has adopted rules and procedures to provide for the electronic filing of the report and the report is filed in accordance with those rules and procedures; and

(2) an authority with whom a report is electronically filed issues an electronic receipt for the report to the person filing the report.

SECTION 2. Section 145.004, Local Government Code, is amended by amending Subsection (d) and adding Subsection (g) to read as follows:

(d) Except as provided in Subsection (g), the [The] timeliness of the filing is governed by Section 572.029, Government Code.

(g) A person is considered to have timely filed a financial statement under this chapter if:

(1) the statement is personally delivered not later than 5 p.m. of the last day for filing the statement; or

(2) the clerk or secretary of the municipality with whom the statement is required to be filed has adopted rules and procedures to provide for the electronic filing of the statement and the statement is electronically filed in accordance with those rules and procedures not later than midnight of the last

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

CONFERENCE

House Bill 1035
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

day for filing the statement.

SECTION 3. Section 159.004, Local Government Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) Except as provided in Subsection (e), the [The] timeliness of the filing is governed by Section 572.029, Government Code.

(e) A person is considered to have timely filed a financial statement under this subchapter if:

(1) the statement is personally delivered not later than 5 p.m. of the last day for filing the statement; or

(2) the county clerk with whom the statement is required to be filed has adopted rules and procedures to provide for the electronic filing of the statement and the statement is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the statement.

SECTION 4. Subchapter B, Chapter 159, Local Government Code, is amended by adding Section 159.0341 to read as follows:

Sec. 159.0341. TIMELINESS OF FILING. A person is considered to have timely filed a report under this subchapter if:

(1) the report is filed in accordance with Section 572.029, Government Code;

(2) the report is personally delivered not later than 5 p.m. of

SECTION 3. Section 159.004, Local Government Code, is amended by amending Subsection (b) and adding Subsections (e) and (f) to read as follows:

(b) Except as provided in Subsection (e), the [The] timeliness of the filing is governed by Section 572.029, Government Code.

(e) A person is considered to have timely filed a financial statement under this subchapter if:

(1) the statement is personally delivered not later than 5 p.m. of the last day for filing the statement; or

(2) the county clerk with whom the statement is required to be filed has adopted rules and procedures to provide for the electronic filing of the statement and the statement is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the statement.

(f) A county clerk may adopt rules and procedures under this section relating only to the manner in which a person must electronically file a financial statement and the required format of an electronically filed statement.

SECTION 4. Subchapter B, Chapter 159, Local Government Code, is amended by adding Section 159.0341 to read as follows:

Sec. 159.0341. TIMELINESS OF FILING. (a) A person is considered to have timely filed a report under this subchapter if:

(1) the report is filed in accordance with Section 572.029, Government Code;

(2) the report is personally delivered not later than 5 p.m. of

House Bill 1035
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

the last day for filing the report; or

(3) the officer with whom the report is required to be filed has adopted rules and procedures to provide for the electronic filing of the report and the report is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the report.

SECTION 5. Section 159.053, Local Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Except as provided in Subsection (c), the [The] timeliness of the filing is governed by Section 572.029, Government Code.

(c) A person is considered to have timely filed a financial statement under this subchapter if:

(1) the statement is personally delivered not later than 5 p.m. of the last day for filing the statement; or

(2) the county clerk with whom the statement is required to be filed has adopted rules and procedures to provide for the electronic filing of the statement and the statement is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the statement.

SECTION 6. (a) Section 254.036, Election Code, as amended by this Act, applies only to a report required to be filed under Chapter 254, Election Code, that is due on or after

SENATE VERSION (CS)

the last day for filing the report; or

(3) the officer with whom the report is required to be filed has adopted rules and procedures to provide for the electronic filing of the report and the report is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the report.

(b) An officer with whom a report is required to be filed under this subchapter may adopt rules and procedures under this section relating only to the manner in which a person must electronically file a report and the required format of an electronically filed report.

SECTION 5. Same as House version.

SECTION 6. Same as House version.

CONFERENCE

House Bill 1035
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

January 1, 2014. A report required to be filed under Chapter 254, Election Code, that is due before January 1, 2014, is governed by the law in effect on the date the report is due, and the former law is continued in effect for that purpose.

(b) Section 145.004, Local Government Code, as amended by this Act, applies only to a financial statement required to be filed under Chapter 145, Local Government Code, that is due on or after January 1, 2014. A financial statement required to be filed under Chapter 145, Local Government Code, that is due before January 1, 2014, is governed by the law in effect on the date the financial statement is due, and the former law is continued in effect for that purpose.

(c) The changes in law made by this Act to Chapter 159, Local Government Code, apply only to a financial statement or report required to be filed under that chapter that is due on or after January 1, 2014. A financial statement or report required to be filed under Chapter 159, Local Government Code, that is due before January 1, 2014, is governed by the law in effect on the date the financial statement or report is due, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect September 1, 2013.

SENATE VERSION (CS)

SECTION 7. Same as House version.

CONFERENCE