

By: Cook

H.B. No. 37

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the reporting of certain political contributions and  
3 political expenditures by certain persons; adding provisions  
4 subject to a criminal penalty.

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

6 SECTION 1. Section 254.261, Election Code, is amended by  
7 adding Subsection (e) to read as follows:

8 (e) This section does not apply to a person to whom  
9 Subchapter K applies.

10 SECTION 2. Chapter 254, Election Code, is amended by adding  
11 Subchapter K to read as follows:

12 SUBCHAPTER K. REPORTING BY CERTAIN PERSONS WHO ARE NOT POLITICAL  
13 COMMITTEES

14 Sec. 254.281. APPLICABILITY OF SUBCHAPTER. (a) This  
15 subchapter applies only to a person or group of persons that:

16 (1) is not a political committee;

17 (2) accepts political contributions as described by  
18 Subsection (b); and

19 (3) makes one or more political expenditures,  
20 excluding expenditures authorized by Sections 253.098, 253.099,  
21 253.100, and 253.104, that in the aggregate exceed \$25,000 during a  
22 calendar year.

23 (b) A person or group of persons accepts political  
24 contributions if a member or donor of the person or group makes a

1 payment, including dues, to the person or group and, at the time  
2 that the member or donor makes the payment, the member or donor  
3 knows or has reason to know that the payment may be used to make a  
4 political contribution or political expenditure or may be comingled  
5 with other funds used to make a political contribution or political  
6 expenditure. A member or donor who signs a statement indicating  
7 that the member's or donor's payment to the person or group may not  
8 be used to make a political contribution or political expenditure  
9 does not have reason to know that the payment may be used to make a  
10 political contribution or political expenditure.

11 Sec. 254.282. REPORTING REQUIREMENTS. (a) Except as  
12 otherwise provided by this subchapter, a person or group of persons  
13 shall comply with this subchapter as if the person or group were the  
14 campaign treasurer of a general-purpose committee that does not  
15 file monthly reports under Section 254.155.

16 (b) A person or group of persons is not required to file a  
17 campaign treasurer appointment for making political expenditures  
18 for which reporting is required under this subchapter, unless the  
19 person is otherwise required to file a campaign treasurer  
20 appointment under this title.

21 (c) A person or group of persons is not required to file a  
22 report under this subchapter if:

23 (1) the person or group is required to disclose  
24 political contributions and political expenditures in another  
25 report required under this title within the time applicable under  
26 this subchapter for reporting the contributions and expenditures;

27 or

1           (2) no reportable activity occurs during the reporting  
2 period.

3           Sec. 254.283. CONTENTS OF REPORT. (a) Itemization of a  
4 political contribution as provided by Section 254.031(a)(1) is  
5 required in a report under this subchapter only if the aggregate  
6 amount of contributions accepted from a person exceeds \$1,000  
7 during the reporting period.

8           (b) The first report required to be filed in a calendar year  
9 in which the \$25,000 threshold under Section 254.281(a)(3) is  
10 exceeded must include all political contributions accepted and all  
11 political expenditures made in the 12 months immediately preceding  
12 the acceptance of the contribution or the making of the expenditure  
13 that triggers the reporting requirements of this subchapter and not  
14 previously reported as required under this subchapter.

15           SECTION 3. Subchapter K, Chapter 254, Election Code, as  
16 added by this Act, applies only to the reporting of a political  
17 contribution or political expenditure made on or after the  
18 effective date of this Act. A contribution or expenditure made  
19 before the effective date of this Act is governed by the law in  
20 effect when the contribution or expenditure was made, and the  
21 former law is continued in effect for that purpose.

22           SECTION 4. This Act takes effect September 1, 2015.