

By: Cook

H.B. No. 3773

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duties of nonprofit corporations regarding certain
3 contributions and the disclosure of information relating to those
4 contributions in certain campaign finance reports.

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

6 SECTION 1. The heading to Subchapter B, Chapter 22,
7 Business Organizations Code, is amended to read as follows:

8 SUBCHAPTER B. PURPOSES, ~~[AND]~~ POWERS, AND DUTIES

9 SECTION 2. Subchapter B, Chapter 22, Business Organizations
10 Code, is amended by adding Section 22.057 to read as follows:

11 Sec. 22.057. RESTRICTED USE OF CERTAIN CONTRIBUTIONS TO
12 CORPORATIONS. (a) In this section, "contribution," "political
13 contribution," and "political expenditure" have the meanings
14 assigned by Section 251.001, Election Code.

15 (b) A corporation may not make a political contribution or
16 political expenditure from a contribution made to the corporation
17 by a person who informs the corporation at the time that the person
18 makes the contribution that the person does not want the
19 contribution to be used by the corporation to make a political
20 contribution or political expenditure.

21 (c) A corporation that is required to file a report under
22 Chapter 254, Election Code, and that solicits contributions by
23 written request or on an Internet website must include in the
24 request or on the website:

1 (1) a statement that a person who contributes to the
2 corporation may opt out of allowing the corporation to use the
3 person's contribution to make a political contribution or political
4 expenditure; and

5 (2) a box to check or a statement to sign by a person
6 making a contribution to indicate that the person does not want the
7 contribution to be used by the corporation to make a political
8 contribution or political expenditure.

9 SECTION 3. Subchapter B, Chapter 254, Election Code, is
10 amended by adding Section 254.044 to read as follows:

11 Sec. 254.044. DISCLOSURE OF CERTAIN INFORMATION NOT
12 ALLOWED. Notwithstanding any other law, a nonprofit corporation
13 organized under Chapter 22, Business Organizations Code, or a
14 comparable law of another state, that is required to disclose
15 information in a report required by this chapter is not required to
16 disclose in the report information regarding a contribution that a
17 person opts out of allowing the nonprofit corporation to use to make
18 a political contribution or political expenditure as provided by
19 Section 22.057, Business Organizations Code.

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