

BILL ANALYSIS

H.B. 19
By: Davis, Sarah
General Investigating & Ethics
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that state law does not currently restrict political contributions during certain periods before, during, or following a special legislative session and contend that such restrictions are needed to ensure ethical behavior in the same manner as provided during a regular legislative session. H.B. 19 seeks to enact these restrictions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 19 amends the Election Code to prohibit a person from knowingly making a political contribution during the period beginning on the date the governor issues a proclamation calling a special legislative session and continuing through the date of final adjournment of the special legislative session to a statewide officeholder other than the governor, a member of the legislature, or a specific-purpose political committee for supporting, opposing, or assisting a statewide officeholder other than the governor or a member of the legislature. The bill prohibits a person from knowingly making a political contribution during the period beginning on the date the governor issues a proclamation calling a special legislative session and continuing through the 20th day after the date of final adjournment of the special legislative session to the governor or a specific-purpose political committee for supporting, opposing, or assisting the governor. The bill includes these periods among the periods during which a statewide officeholder, a member of the legislature, or a specific-purpose political committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature is prohibited from knowingly accepting and is required to refuse a political contribution. The bill subjects a political contribution otherwise prohibited under the bill's provisions to the same exception applicable to a donation prohibited during and following a regular legislative session. A violation of the bill's provisions is a Class A misdemeanor.

EFFECTIVE DATE

December 1, 2017.