

By: Larson

H.B. No. 33

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to restrictions on certain contributions by persons  
3 appointed to public office by the governor; creating a criminal  
4 offense.

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

6 SECTION 1. Chapter 601, Government Code, is amended by  
7 adding Section 601.012 to read as follows:

8 Sec. 601.012. CERTAIN DONORS INELIGIBLE FOR GUBERNATORIAL  
9 APPOINTMENTS; CONTRIBUTIONS BY GUBERNATORIAL APPOINTEES  
10 RESTRICTED. (a) In this section:

11 (1) "Communicates directly with," "matter," "member  
12 of the executive branch," and "member of the legislative branch"  
13 have the meanings assigned by Section 305.002.

14 (2) "Political contribution" and "specific-purpose  
15 committee" have the meanings assigned by Section 251.001, Election  
16 Code.

17 (b) An individual is ineligible to serve as an officer  
18 appointed by the governor if during the year preceding the date of  
19 appointment the individual made political contributions that in the  
20 aggregate exceeded \$2,500 to:

21 (1) the governor; or

22 (2) a specific-purpose committee supporting the  
23 governor as a candidate or assisting the governor as an  
24 officeholder.

1       (c) An individual serving as an officer appointed by the  
2 governor may not during any single year in which the individual  
3 serves in that office make political contributions that in the  
4 aggregate exceed \$2,500 to the governor or a specific-purpose  
5 committee supporting the governor as a candidate or assisting the  
6 governor as an officeholder. An individual who violates this  
7 section is liable in damages to this state in the amount of triple  
8 the amount of contributions in a single year that exceed the limit  
9 prescribed by this subsection.

10       (d) For purposes of Subsection (b) or (c), a political  
11 contribution made by the spouse or dependent child of an individual  
12 or a political contribution from an organization made in the  
13 individual's name and with the individual's consent is considered  
14 to be a contribution made by the individual.

15       (e) Before taking office, an individual appointed by the  
16 governor must sign an attestation that during the year preceding  
17 the appointment the individual, the individual's spouse or  
18 dependent child, and an organization in the individual's name and  
19 with the individual's consent did not make political contributions  
20 exceeding \$2,500 to the governor or a specific-purpose committee  
21 supporting the governor as a candidate or assisting the governor as  
22 an officeholder.

23       (f) Before taking office, an individual appointed by the  
24 governor must sign an attestation that the individual or a business  
25 entity acting at the direction of the individual will not  
26 compensate a person required to register as a lobbyist under  
27 Chapter 305 for communicating directly with a member of the

1 legislative or executive branch on a matter affecting the officer's  
2 state agency and will comply with any political contribution limits  
3 under Subsection (b). An individual appointed by the governor who  
4 or a business entity acting at the direction of the individual that  
5 violates an attestation under this subsection, or a person required  
6 to register as a lobbyist under Chapter 305 who accepts  
7 compensation made in violation of an attestation under this  
8 subsection, commits an offense. An offense under this subsection  
9 is a Class A misdemeanor.

10 SECTION 2. Section 601.012, Government Code, as added by  
11 this Act, applies to an appointment made on or after the effective  
12 date of this Act.

13 SECTION 3. This Act takes effect December 1, 2017.