

By: Stephenson

H.B. No. 756

A BILL TO BE ENTITLED

AN ACT

relating to restrictions on the name of a general-purpose political committee.

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

SECTION 1. Sections 252.0011(a), (b), and (c), Election Code, are amended to read as follows:

(a) Except as provided by Subsection (b) or (c), a person is ineligible for appointment as a campaign treasurer if:

(1) the person is the campaign treasurer of a political committee that does not file a report required by Chapter 254; or

(2) the campaign treasurer appointment of the person was terminated under Section 252.0131(a) for violating Section 252.003(e).

(b) The period for which a person is ineligible under Subsection (a)(1) [~~(a)~~] for appointment as a campaign treasurer ends on the date on which the political committee in connection with which the person's ineligibility arose has filed each report required by Chapter 254 that was not timely filed or has paid all fines and penalties in connection with the failure to file the report. The period for which a person is ineligible under Subsection (a)(2) for appointment as a campaign treasurer ends on the fourth anniversary of the date the person's campaign treasurer appointment was terminated under Section 252.0131(a) for violating

1 Section 252.003(e).

2 (c) A person is not ineligible for appointment as a campaign
3 treasurer under Subsection (a)(1) [~~(a) does not apply to a person~~]
4 if, in any semiannual reporting period prescribed by Chapter 254:

5 (1) the political committee in connection with which
6 the person's ineligibility arose did not accept political
7 contributions that in the aggregate exceed \$5,000 or make political
8 expenditures that in the aggregate exceed \$5,000; and

9 (2) the candidate who or political committee that
10 subsequently appoints the person does not accept political
11 contributions that in the aggregate exceed \$5,000 or make political
12 expenditures that in the aggregate exceed \$5,000.

13 SECTION 2. The heading to Section 252.003, Election Code,
14 is amended to read as follows:

15 Sec. 252.003. CONTENTS OF APPOINTMENT BY GENERAL-PURPOSE
16 COMMITTEE; COMMITTEE NAME.

17 SECTION 3. Section 252.003, Election Code, is amended by
18 adding Subsection (e) to read as follows:

19 (e) The name of a general-purpose committee may not contain
20 the name of a political party without providing on every
21 publication disseminated by the committee a disclaimer that the
22 committee is not affiliated in any way with the party in text not
23 smaller than half the size of the text in which the name of the
24 committee appears. The commission shall determine whether the name
25 of a general-purpose committee is in violation of this prohibition
26 and shall immediately notify the campaign treasurer of the
27 offending committee of that determination.

1 SECTION 4. Section 252.0131(a), Election Code, is amended
2 to read as follows:

3 (a) The commission by rule shall adopt a process by which
4 the commission may terminate the campaign treasurer appointment of
5 an inactive candidate or political committee that is required to
6 file a campaign treasurer appointment with the commission and by
7 which the commission shall terminate the campaign treasurer
8 appointment of a general-purpose committee that violates Section
9 252.003(e). The governing body of a political subdivision by
10 ordinance or order may adopt a process by which the clerk or
11 secretary, as applicable, of the political subdivision may
12 terminate the campaign treasurer appointment of an inactive
13 candidate or political committee that is required to file a
14 campaign treasurer appointment with the clerk or secretary. For
15 purposes of this section, a candidate or political committee is
16 inactive if the candidate or committee:

17 (1) has never filed or has ceased to file reports under
18 Chapter 254;

19 (2) in the case of a candidate, has not been elected to
20 an office for which a candidate is required to file a campaign
21 treasurer appointment with the authority who is seeking to
22 terminate the candidate's campaign treasurer appointment; and

23 (3) has not filed:

24 (A) a final report under Section 254.065 or
25 254.125; or

26 (B) a dissolution report under Section 254.126 or
27 254.159.

1 SECTION 5. Not later than January 1, 2018, the Texas Ethics
2 Commission shall determine whether the name of a general-purpose
3 political committee that filed a campaign treasurer appointment
4 before September 1, 2017, violates Section [252.003\(e\)](#), Election
5 Code, as added by this Act, and shall notify the campaign treasurer
6 of the political committee of that determination.

7 SECTION 6. This Act takes effect September 1, 2017.