By:  Meza H.B. No. 1847

A BILL TO BE ENTITLED

AN ACT

relating to limits on political contributions to certain candidates and officeholders.

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

SECTION 1.  Subchapter B, Chapter 253, Election Code, is amended by adding Section 253.044 to read as follows:

Sec. 253.044.  LIMITATIONS ON CONTRIBUTIONS. (a) In this section:

(1)  "Committee" includes:

(A)  a general-purpose committee;

(B)  a specific-purpose committee that supports a candidate or assists an officeholder;

(C)  a political committee; and

(D)  any other committee that accepts political contributions, if a candidate or officeholder has significant influence over the actions or decisions of the committee.

(2)  "Significant influence" means a level of involvement in a committee or a noncommercial entity by a candidate or officeholder, or an agent of a candidate or officeholder, and includes:

(A)  the use of the candidate's or officeholder's name or office in the name of the entity; or

(B)  the candidate or officeholder:

(i)  attending meetings of the entity that are not open to the public;

(ii)  sitting as a member of the committee or on the entity's board of directors;

(iii)  participating in any joint acts with the entity;

(iv)  directing, approving, or disapproving any expenditure made by the entity; or

(v)  participating substantially in the entity's fund-raising projects.

(b)  A person, candidate, officeholder, or committee may not make political contributions to any officeholder, candidate, or committee that supports the candidate or officeholder that in the aggregate per calendar year exceed $5,000 for:

(1)  a candidate for or officeholder who holds a statewide office; and

(2)  a candidate for, or member of, the legislature.

(c)  The contribution limit described by Subsection (b) applies to any expenditures by a person, committee, or other entity in the same manner as the limit applies to a candidate or officeholder if the expenditure by the person, committee, or entity is coordinated with a candidate or officeholder.

(d)  The commission shall make a determination as to whether a person, committee, or other entity coordinated with a candidate or officeholder for the purposes of this section. Coordination with a candidate or officeholder shall be presumed if:

(1)  the candidate or officeholder engages in fund-raising for the person or entity;

(2)  the candidate or officeholder has family members or high-level staff who are employed by the person, committee, or entity;

(3)  the candidate or officeholder provided campaign information to the person, committee, or entity, and the person, committee, or entity made expenditures based on that information;

(4)  the candidate or officeholder and the person, committee, or entity employ the same consultants; or

(5)  the person, committee, or entity republishes or redistributes the candidate's or officeholder's campaign communications.

SECTION 2.  The changes in law made by this Act apply only to a political contribution or expenditure made on or after the effective date of this Act. A political contribution or expenditure made before the effective date of this Act is governed by the law in effect at the time the contribution or expenditure was made, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.