By:  Klick, Cain (Senate Sponsor - Huffman) H.B. No. 3580

(In the Senate - Received from the House April 23, 2019; April 24, 2019, read first time and referred to Committee on State Affairs; April 29, 2019, reported favorably by the following vote: Yeas 8, Nays 0; April 29, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Huffman         X

Hughes          X

Birdwell        X

Creighton                 X

Fallon          X

Hall            X

Lucio           X

Nelson          X

Zaffirini       X

A BILL TO BE ENTITLED

AN ACT

relating to the revision or repeal of certain obsolete provisions related to restrictions on political advertising, political contributions, and political expenditures.

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

SECTION 1.  Subchapter D, Chapter 253, Election Code, is amended by adding Section 253.105 to read as follows:

Sec. 253.105.  CONTRIBUTIONS TO DIRECT EXPENDITURE ONLY COMMITTEES. (a) A corporation or labor organization may make a political contribution from its own property to a political committee that:

(1)  is not established or controlled by a candidate or an officeholder;

(2)  makes or intends to make direct campaign expenditures;

(3)  does not make or intend to make political contributions to:

(A)  a candidate;

(B)  an officeholder;

(C)  a specific-purpose committee established or controlled by a candidate or an officeholder; or

(D)  a political committee that makes or intends to make political contributions to a candidate, an officeholder, or a specific-purpose committee established or controlled by a candidate or an officeholder; and

(4)  has filed an affidavit with the commission stating the committee's intention to operate as described by Subdivisions (2) and (3).

(b)  A political contribution made by a corporation or labor organization under this section does not constitute a violation of Section 253.094(a) and the acceptance of the political contribution does not constitute a violation of Section 253.003(b).

SECTION 2.  Section 302.021(a), Government Code, is amended to read as follows:

(a)  A speaker candidate or former speaker candidate commits an offense if the person:

(1)  knowingly fails to file the declaration of candidacy required by Section 302.0121;

(2)  knowingly fails to file the statement required by Section 302.013;

(3)  knowingly accepts a contribution, loan, or promise of a contribution or loan in violation of Section 302.0121(c);

(4)  [~~knowingly accepts a contribution, loan, or promise of a contribution or loan prohibited by Section 302.017 from a corporation, partnership, association, firm, union, foundation, committee, club, or other organization or group of persons;~~

[~~(5)~~]  knowingly accepts a contribution from a person who uses political contributions, interest earned on political contributions, or an asset purchased with political contributions to make the contribution in violation of Section 302.0191;

(5) [~~(6)~~]  expends campaign funds for any purpose other than those enumerated in Section 302.020;

(6) [~~(7)~~]  knowingly retains contributions, assets purchased with contributions, or interest or other income earned on contributions in violation of Section 302.0201(b); or

(7) [~~(8)~~]  knowingly fails to file the report of unexpended campaign funds as required by Section 302.0201(d).

SECTION 3.  Section 306.006(a), Government Code, is amended to read as follows:

(a)  A person may not use audio or visual materials produced by or under the direction of the legislature or of a house, committee, or agency of the legislature for a commercial purpose unless the legislative entity that produced the audio or visual materials or under whose direction the audio or visual materials were produced gives its permission for the person's commercial use and:

(1)  the person uses the audio or visual materials only for educational or public affairs programming, including news programming[~~, that does not also constitute a use prohibited under Section 306.005~~]; or

(2)  the person transmits an unedited feed of the audio or visual materials:

(A)  to paid subscribers; or

(B)  on an Internet website that is accessible to the public.

SECTION 4.  Section 306.006(g)(2), Government Code, is amended to read as follows:

(2)  "Visual materials" means photographic, video, or other material containing a still or moving recorded image or images [~~has the meaning assigned by Section 306.005~~].

SECTION 5.  The following provisions are repealed:

(1)  Sections 253.037(a) and (c), Election Code;

(2)  Section 302.017, Government Code;

(3)  Section 302.019, Government Code; and

(4)  Section 306.005, Government Code.

SECTION 6.  This Act takes effect September 1, 2019.

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