

By: Meza

H.B. No. 1847

A BILL TO BE ENTITLED

1 AN ACT
2 relating to limits on political contributions to certain candidates
3 and officeholders.

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

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

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

9 (1) "Committee" includes:

10 (A) a general-purpose committee;

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

13 (C) a political committee; and

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

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

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

23 (B) the candidate or officeholder:

24 (i) attending meetings of the entity that

1 are not open to the public;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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