

By: Klick, Cain

H.B. No. 3580

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

1 candidate or an officeholder; and

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

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

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

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

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

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

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

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

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

1           (5) [~~(6)~~] expends campaign funds for any purpose other  
2 than those enumerated in Section 302.020;

3           (6) [~~(7)~~] knowingly retains contributions, assets  
4 purchased with contributions, or interest or other income earned on  
5 contributions in violation of Section 302.0201(b); or

6           (7) [~~(8)~~] knowingly fails to file the report of  
7 unexpended campaign funds as required by Section 302.0201(d).

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

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

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

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

23                   (A) to paid subscribers; or

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

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

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

4           SECTION 5. The following provisions are repealed:

- 5           (1) Sections 253.037(a) and (c), Election Code;
- 6           (2) Section 302.017, Government Code;
- 7           (3) Section 302.019, Government Code; and
- 8           (4) Section 306.005, Government Code.

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