

1-1 By: King of Parker, et al. H.B. No. 2283  
 1-2 (Senate Sponsor - Creighton)  
 1-3 (In the Senate - Received from the House May 3, 2021;  
 1-4 May 10, 2021, read first time and referred to Committee on State  
 1-5 Affairs; May 20, 2021, reported adversely, with favorable  
 1-6 Committee Substitute by the following vote: Yeas 6, Nays 2;  
 1-7 May 20, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14		X		
1-15	X			
1-16		X		
1-17	X			
1-18			X	

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 2283 By: Hughes

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the prohibition of certain contributions and donations  
 1-23 for the administration of elections.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter E, Chapter 31, Election Code, is  
 1-26 amended by adding Section 31.126 to read as follows:

1-27 Sec. 31.126. PROHIBITED CONTRIBUTIONS. (a) Without the  
 1-28 written consent of the secretary of state, the joint elections  
 1-29 commission, county election commission, and county election board  
 1-30 may not:

1-31 (1) accept a contribution of \$1,000 or more, including  
 1-32 the value of in-kind donations, offered by:

1-33 (A) a private individual;

1-34 (B) a business entity, including a:

1-35 (i) corporation;

1-36 (ii) partnership; or

1-37 (iii) trust; or

1-38 (C) another third party; or

1-39 (2) use a contribution described by Subdivision (1) to  
 1-40 perform a function of administering elections.

1-41 (b) The secretary of state may grant consent under  
 1-42 Subsection (a) only if:

1-43 (1) the secretary consults with the governor, the  
 1-44 lieutenant governor, and the speaker of the house of  
 1-45 representatives on the proposed donation; and

1-46 (2) the governor, the lieutenant governor, and the  
 1-47 speaker of the house of representatives unanimously agree to the  
 1-48 secretary's grant of consent.

1-49 (c) The joint elections commission, county election  
 1-50 commission, and county election board may accept a contribution of  
 1-51 less than \$1,000 only with written consent from the relevant  
 1-52 political subdivision.

1-53 (d) This section does not prohibit the acceptance of:

1-54 (1) an in-kind contribution of food or beverage for  
 1-55 election workers during the administration of an election;

1-56 (2) any state or federal funds administered or  
 1-57 distributed by the secretary of state, including funds administered  
 1-58 and distributed under Section 31.009, or other state or federal  
 1-59 funds made available to political subdivisions to perform a  
 1-60 function related to elections; or

2-1 (3) an offer for use, without charge or for a reduced  
2-2 fee, of a public or private building or a portion of a building for  
2-3 the purposes of conducting an election, including for use as a  
2-4 polling place designated under Chapter 43.

2-5 SECTION 2. Section 81.032, Local Government Code, is  
2-6 amended to read as follows:

2-7 Sec. 81.032. ACCEPTANCE OF DONATIONS AND BEQUESTS. (a) The  
2-8 commissioners court may accept a donation of labor or services,  
2-9 gift, grant, donation, bequest, or devise of money or other  
2-10 property on behalf of the county, including a donation under  
2-11 Chapter 38, Government Code, for the purpose of performing a  
2-12 function conferred by law on the county or a county officer.

2-13 (b) The commissioners court may not accept a donation  
2-14 described in Subsection (a) of over \$1,000 for use in administering  
2-15 elections without the written consent of the secretary of state.

2-16 (c) The secretary of state may grant consent under  
2-17 Subsection (b) only if:

2-18 (1) the secretary consults with the governor, the  
2-19 lieutenant governor, and the speaker of the house of  
2-20 representatives on the proposed donation; and

2-21 (2) the governor, the lieutenant governor, and the  
2-22 speaker of the house of representatives unanimously agree to the  
2-23 secretary's grant of consent.

2-24 SECTION 3. This Act takes effect immediately if it receives  
2-25 a vote of two-thirds of all the members elected to each house, as  
2-26 provided by Section 39, Article III, Texas Constitution. If this  
2-27 Act does not receive the vote necessary for immediate effect, this  
2-28 Act takes effect September 1, 2021.

2-29 \* \* \* \* \*