

**House Bill 2283**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 31.126. PROHIBITED CONTRIBUTIONS. (a) The joint elections commission, county election commission, and county election board may not:

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

(A) a private individual;

(B) a business entity, including a:

(i) corporation;

(ii) partnership; or

(iii) trust; or

(C) another third party; or

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

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

(c) This section does not prohibit the acceptance of:

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

(2) any state or federal funds administered or distributed by

SENATE VERSION (IE)

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

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

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

(A) a private individual;

(B) a business entity, including a:

(i) corporation;

(ii) partnership; or

(iii) trust; or

(C) another third party; or

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

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

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

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

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

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

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

(2) any state or federal funds administered or distributed by

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the secretary of state, including funds administered and distributed under Section 31.009, or other state or federal funds made available to political subdivisions to perform a function related to elections; or  
(3) an offer for use, without charge or for a reduced fee, of a public or private building or a portion of a building for the purposes of conducting an election, including for use as a polling place designated under Chapter 43.

No equivalent provision.

SECTION 2. Section 81.032, Local Government Code, is amended to read as follows:  
Sec. 81.032. ACCEPTANCE OF DONATIONS AND BEQUESTS. (a) Except as provided by Subsection (b), the [The] commissioners court may accept a donation of labor or services, gift, grant, donation, bequest, or devise of money or

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the secretary of state, including funds administered and distributed under Section 31.009, or other state or federal funds made available to political subdivisions to perform a function related to elections; or  
(3) an offer for use, without charge or for a reduced fee, of a public or private building or a portion of a building for the purposes of conducting an election, including for use as a polling place designated under Chapter 43.

SECTION \_\_. Section 405.005, Government Code, is amended by adding Subsections (c) and (d) to read as follows:  
(c) The secretary of state shall ensure that any gift, grant, or donation accepted under Subsection (a) to perform a function of administering elections is equitably distributed throughout the state based on a percentage of the population of each county or another method determined by the secretary.  
(d) Not later than January 1 of each odd-numbered year, the secretary shall submit a report to the governor, the lieutenant governor, and the speaker of the house of representatives that includes a detailed summary of any gifts, grants, or donations described by Subsection (a) and the manner in which those amounts were expended in the administration of an election.  
[FA1]

SECTION 2. Section 81.032, Local Government Code, is amended to read as follows:  
Sec. 81.032. ACCEPTANCE OF DONATIONS AND BEQUESTS. (a) The commissioners court may accept a donation of labor or services, gift, grant, donation, bequest, or devise of money or other property on behalf of the county,

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other property on behalf of the county, including a donation under Chapter 38, Government Code, for the purpose of performing a function conferred by law on the county or a county officer.

(b) The commissioners court may not:

(1) accept a donation of \$1,000 or more for the purpose of administering elections; or

(2) use or appropriate a donation described by Subsection (a) to perform a function of administering elections.

(c) This section does not prohibit the acceptance of:

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

(2) any state or federal funds administered or distributed by the secretary of state, including funds administered and distributed under Section 31.009, Election Code, or other state or federal funds made available to political subdivisions to perform a function related to elections.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house,

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including a donation under Chapter 38, Government Code, for the purpose of performing a function conferred by law on the county or a county officer.

(b) The commissioners court may not

accept a donation described in Subsection (a) of over \$1,000 for use in administering elections without the written consent of the secretary of state.

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

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

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

SECTION 3. Same as House version.

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as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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