

House Bill 3372
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter B, Chapter 254, Election Code, is amended by adding Section 254.044 to read as follows:

Sec. 254.044. REPORTING OF POLITICAL CONTRIBUTIONS AND EXPENDITURES MADE USING CREDIT CARD. (a) A candidate or officeholder who accepts a political contribution made using a credit card shall:

(1) for a political contribution for which a processing fee is deducted by the credit card issuer from the political contribution amount;

(A) report as a political contribution the full amount, including the deducted amount; and

(B) report as a political expenditure the deducted amount; and

(2) for a political contribution for which a processing fee is paid by the person making the political contribution in excess of the political contribution amount;

(A) report as a political contribution the full amount, not including the amount paid in excess of the political contribution amount; and

(B) report as an in-kind contribution the amount paid in excess of the political contribution amount.

(b) Notwithstanding any other provision of this chapter and for purposes of reporting in-kind contributions under Subsection (a)(2)(B), a candidate or officeholder may aggregate those in-kind contributions for the reporting period during which the in-kind contributions are accepted.

SENATE VERSION (IE)

SECTION 1. Subchapter B, Chapter 254, Election Code, is amended by adding Section 254.044 to read as follows:

Sec. 254.044. REPORTING OF POLITICAL CONTRIBUTIONS AND EXPENDITURES MADE USING CREDIT CARD. (a) A candidate or officeholder who accepts a political contribution made using a credit card shall:

(1) for a political contribution for which a processing fee is deducted by the credit card issuer from the political contribution amount;

(A) report as a political contribution the full amount, including the deducted amount; and

(B) report as a political expenditure the deducted amount; and

(2) for a political contribution for which a processing fee is paid by the person making the political contribution in excess of the political contribution amount,

report as a political contribution the full amount, including the amount paid in excess of the political contribution amount.

(b) The commission may not require a candidate or officeholder who accepts a political contribution described by Subsection (a)(2) to report as a political expenditure the

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excess amount paid as a processing fee by the person making the political contribution. [FA1]

SECTION 2. Section 254.044, Election Code, as added by this Act, applies only to a report of political contributions and expenditures under Chapter 254, Election Code, that is required to be filed on or after January 1, 2024.

SECTION 2. Same as House version.

SECTION 3. This Act takes effect September 1, 2023.

SECTION 3. Same as House version.