

1-1 By: Shaheen, et al. H.B. No. 18  
 1-2 (Senate Sponsor - Hinojosa of Nueces)  
 1-3 (In the Senate - Received from the House September 2, 2025;  
 1-4 September 2, 2025, read first time and referred to Committee on  
 1-5 State Affairs; September 3, 2025, reported favorably by the  
 1-6 following vote: Yeas 9, Nays 1; September 3, 2025, sent to  
 1-7 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	X			
1-20		X		

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to a restriction on the acceptance of political  
 1-24 contributions and the making of certain political expenditures by a  
 1-25 member of the legislature and certain political committees during  
 1-26 certain periods in which a member is absent from a legislative  
 1-27 session; authorizing a civil penalty.

1-28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-29 SECTION 1. Chapter 301, Government Code, is amended by  
 1-30 adding Subchapter G to read as follows:

1-31 SUBCHAPTER G. PROHIBITED ACTIONS DURING IMPEDING ABSENCE

1-32 Sec. 301.101. DEFINITIONS. In this subchapter:

1-33 (1) "Impeding absence" means an unexcused absence by a  
 1-34 member of either house of the legislature during a legislative  
 1-35 session in which the member is at a location outside of this state  
 1-36 for purposes of impeding the actions of the member's house if:

1-37 (A) the member's house has:

1-38 (i) compelled the attendance of absent  
 1-39 members under Section 10, Article III, Texas Constitution;

1-40 (ii) ordered the house's sergeant-at-arms  
 1-41 to arrest absent members; and

1-42 (iii) issued civil warrants of arrest for  
 1-43 the absent members;

1-44 (B) the member has not:

1-45 (i) been granted a leave of absence by the  
 1-46 member's house; or

1-47 (ii) returned to the member's house; and

1-48 (C) the member:

1-49 (i) is not physically present in this  
 1-50 state; and

1-51 (ii) has indicated by word or deed that the  
 1-52 member is not present in this state.

1-53 (2) "Political contribution," "political  
 1-54 expenditure," and "specific-purpose committee" have the meanings  
 1-55 assigned by Section 251.001, Election Code.

1-56 (3) "Legislative caucus" means a legislative caucus,  
 1-57 as defined by Section 253.0341(e), Election Code, that also has a  
 1-58 principal purpose of a specific-purpose committee, as defined by  
 1-59 Section 251.001(13), Election Code.

1-60 Sec. 301.102. EXERCISE OF RULEMAKING POWER. This  
 1-61 subchapter is enacted by the legislature as an exercise of the

2-1 rulemaking power granted to each house of the legislature under  
 2-2 Sections 10 and 11, Article III, Texas Constitution.

2-3 Sec. 301.103. PROHIBITED ACCEPTANCE OF POLITICAL  
 2-4 CONTRIBUTIONS AND MAKING OF POLITICAL EXPENDITURES.

2-5 Notwithstanding any other law, a member of the legislature or a  
 2-6 specific-purpose committee or legislative caucus supporting or  
 2-7 assisting the member during an impending absence may not knowingly:

2-8 (1) accept political contributions, and shall refuse  
 2-9 any political contributions received, that in the aggregate from a  
 2-10 single person exceed the per diem set by the Texas Ethics Commission  
 2-11 for each day of a regular or special legislative session under  
 2-12 Section 24a(e), Article III, Texas Constitution; or

2-13 (2) make a political expenditure for travel, food, or  
 2-14 lodging expenses in connection with the member's impending absence.

2-15 Sec. 301.104. REQUIRED RETURN OF PROHIBITED POLITICAL  
 2-16 CONTRIBUTIONS. (a) A member of the legislature or a

2-17 specific-purpose committee or legislative caucus supporting or  
 2-18 assisting the member that receives and refuses a political  
 2-19 contribution or contributions in violation of this subchapter  
 2-20 during the member's impending absence shall return the contribution  
 2-21 or contributions to the contributor not later than the fifth day  
 2-22 after the date of receipt.

2-23 (b) A political contribution made by United States mail or  
 2-24 by common or contract carrier is not considered received during an  
 2-25 impeding absence if the contribution was properly addressed and  
 2-26 placed with postage or carrier charges prepaid or prearranged in  
 2-27 the mail or delivered to the contract carrier before the beginning  
 2-28 of the absence. The date indicated by the post office cancellation  
 2-29 mark or the common or contract carrier documents is considered to be  
 2-30 the date the contribution was placed in the mail or delivered to the  
 2-31 common or contract carrier unless proven otherwise.

2-32 Sec. 301.105. CIVIL PENALTY. In accordance with the  
 2-33 procedure provided by this subchapter, a person who accepts a  
 2-34 political contribution or makes a political expenditure in  
 2-35 violation of this subchapter is subject to a civil penalty in an  
 2-36 amount not to exceed \$5,000. For purposes of this section, each  
 2-37 contribution accepted and each expenditure made in violation of  
 2-38 this subchapter is a separate violation.

2-39 Sec. 301.106. CIVIL PENALTY: STATEMENT OF FACTS TO  
 2-40 PRESIDING OFFICER OF APPLICABLE LEGISLATIVE CHAMBER; CERTIFICATION  
 2-41 TO DISTRICT COURT. (a) If a person accepts a political  
 2-42 contribution or makes a political expenditure in violation of this  
 2-43 subchapter, a statement of facts that, if true, makes a prima facie  
 2-44 showing that a violation of this subchapter likely occurred may be  
 2-45 reported to and filed with the president of the senate or speaker of  
 2-46 the house of representatives by any member of the same house of the  
 2-47 legislature as the absent member.

2-48 (b) If the president of the senate or speaker of the house of  
 2-49 representatives receives a statement of facts described by  
 2-50 Subsection (a), the president or speaker shall certify the  
 2-51 statement of facts under the seal of the senate or house of  
 2-52 representatives, as appropriate, to the district court for the  
 2-53 county in which the person resided at the time of the violation.  
 2-54 The person's residence is determined in accordance with Section  
 2-55 15.002, Civil Practice and Remedies Code, except that if a person is  
 2-56 a member of the legislature, that person's residence is determined  
 2-57 based on the county in which the person claims a residence homestead  
 2-58 under Chapter 41, Property Code.

2-59 Sec. 301.107. CIVIL PENALTY: DISTRICT COURT DUTIES. (a)  
 2-60 The district court to which a statement of facts is certified under  
 2-61 Section 301.106(b) shall, not later than 72 hours after the court  
 2-62 receives the statement and without any intervention, pleading, or  
 2-63 motion, enter an order that:

2-64 (1) provides a person who is the subject of the  
 2-65 statement notice of the allegations; and

2-66 (2) directs the person to show cause why the conduct in  
 2-67 which the person is alleged to have engaged does not constitute a  
 2-68 violation of this subchapter.

2-69 (b) After a hearing at which the house of the legislature

3-1 that originated a statement of facts certified under Section  
3-2 301.106(b) and the person who is the subject of the statement are  
3-3 heard, the district court shall:

3-4 (1) determine whether the person accepted a political  
3-5 contribution or made a political expenditure in violation of this  
3-6 subchapter; and

3-7 (2) if the court determines that a violation occurred,  
3-8 impose a civil penalty under Section 301.105.

3-9 Sec. 301.108. CIVIL PENALTY: APPEAL AND PROHIBITED  
3-10 CONTINUANCE. (a) The Fifteenth Court of Appeals has exclusive  
3-11 intermediate appellate jurisdiction over a matter arising out of or  
3-12 related to a proceeding under this subchapter.

3-13 (b) Section 30.003, Civil Practice and Remedies Code, does  
3-14 not apply to a proceeding under this subchapter.

3-15 SECTION 2. Subchapter G, Chapter 301, Government Code, as  
3-16 added by this Act, applies only to a political contribution  
3-17 accepted or a political expenditure made on or after the effective  
3-18 date of this Act.

3-19 SECTION 3. This Act takes effect on the 91st day after the  
3-20 last day of the legislative session.

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