

By: Creighton

S.B. No. 3014

A BILL TO BE ENTITLED

AN ACT

relating to the ability to assess penalties by the Texas Ethics Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 561.0631, Government Code, is amended to read as follows:

Sec. 571.0631. RULES CONCERNING TECHNICAL AND CLERICAL ERRORS ~~[VIOLATIONS]~~. (a) The commission shall adopt rules prescribing procedures for ~~[investigating and]~~ resolving technical and clerical errors on ~~[violations of laws within the commission's jurisdiction. For]~~ registrations and reports filed under laws within the commission's jurisdiction ~~[Chapter 305, the commission shall consider clerical violations to include obvious typographical errors]~~.

(b) Rules adopted under this section must:

(1) clearly outline the types of technical and clerical errors on registrations and reports filed; and

(2) the time and manner for correcting these types of errors.

(c) The commission may not assess a penalty or fine for technical or clerical errors. A registrant filing a registration or report shall ~~[under Chapter 305 may]~~ correct obvious typographical errors ~~[without penalty]~~ by filing either a corrected registration or report or an updated or amended registration or report.

SECTION 2. Section 571.173, Government Code, is amended to read as follows:

(a) The commission may impose a civil penalty of not more than \$5,000 or triple the amount at issue under a law administered and enforced by the commission, whichever amount is more, for a delay in complying with a commission order or for a violation of a law administered and enforced by the commission.

(b) The commission may not impose a civil penalty except for knowing violations of laws within the jurisdiction of the commission. A violation is presumed to not be knowing if the amount at issue is less than \$500.

SECTION 3. The heading to Section 571.1731, Government Code, is amended to read as follows:

Sec. 571.1731. WAIVER OR REDUCTION OF A ~~[LATE FILING]~~ PENALTY.

SECTION 4. Section 571.1731(a) is amended to read as follows:

a) A person may request the waiver or reduction of a civil penalty ~~[under Section 305.033(b) or 572.033(b) of this code or Section 254.042(b), Election Code,~~ by submitting an affidavit to the executive director that states the filer's reasons for requesting a waiver or reduction.

SECTION 5. Section 572.033, Government Code, is amended to read as follows:

(a) The commission shall determine from any available evidence whether a statement required to be filed under this subchapter is late. On making a determination that the statement is

1 late, the commission shall immediately mail a notice of the  
2 determination to the individual responsible for filing the  
3 statement [~~and to the appropriate attorney for the state~~].

4 (b) If a statement is determined to be late, the individual  
5 responsible for filing the statement is liable to the state for a  
6 civil penalty of \$500. [~~If a statement is more than 30 days late,~~  
7 ~~the commission shall issue a warning of liability by registered~~  
8 ~~mail to the individual responsible for the filing. If the penalty~~  
9 ~~is not paid before the 10th day after the date on which the warning~~  
10 ~~is received, the individual is liable for a civil penalty in an~~  
11 ~~amount determined by commission rule, but not to exceed \$10,000.~~

12 ~~(c) This section is cumulative of any other available~~  
13 ~~sanction for a late filing of a sworn statement.]~~

14 SECTION 6. Section 572.034(a), Government Code, is amended  
15 to read as follows:

16 (a) An individual commits an offense if the individual is a  
17 state officer or candidate or state party chair and knowingly and  
18 wilfully fails to file a financial statement on three separate  
19 occasions as required by this subchapter.

20 The following provisions of the Government Code are repealed:

21 (1) Section 571.079; and

22 (2) Section 572.007.

23 SECTION 7. This Act takes effect September 1, 2025.