

BILL ANALYSIS

Senate Research Center
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H.B. 756
By: Martinez Fischer (Ellis)
State Affairs
5/21/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 756 amends current law relating to the making or acceptance of political contributions in a building owned by or leased to the state.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 253.039, Election Code, by amending Subsections (a) and (b) and adding Subsections (e), (f), and (g), as follows:

(a) Prohibits a person from knowingly make or authorizing a political contribution while in a state building, rather than the Capitol, to a candidate or officeholder; a political committee; or a person acting on behalf of a candidate, officeholder, or political committee.

(b) Makes a conforming change.

(e) Requires that the Texas Ethics Commission (TEC), if TEC determines that a person registered under Chapter 305 (Registration of Lobbyists), Government Code, has made or attempted to make a political contribution in a state building, enter an order suspending the person's registration under Section 305.005 (Registration) for 180 days.

(f) Requires that TEC, if TEC determines that a general-purpose committee has made or attempted to make a political contribution in a state building, enter an order suspending TEC's campaign treasurer appointment for 180 days.

(g) Defines "state building." Provides that the prohibition only applies to the portion of the building used for state business.

SECTION 2. Repealer: Section 253.039(c) (relating the prohibitions of contributions made in the Capitol through the United States Postal Service or a common or contract carrier), Election Code.

SECTION 3. (a) Makes application of Section 253.039, Election Code, as amended by this Act, prospective.

(b) Provides that an offense committed before September 1, 2009, is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 4. Effective date: September 1, 2009.