

1-1 By: Goldman (Senate Sponsor - Hughes) H.B. No. 3906
1-2 (In the Senate - Received from the House May 17, 2021;
1-3 May 17, 2021, read first time and referred to Committee on State
1-4 Affairs; May 21, 2021, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hughes	X		
1-9	Birdwell	X		
1-10	Campbell	X		
1-11	Hall	X		
1-12	Lucio	X		
1-13	Nelson	X		
1-14	Powell	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the regulation of political funds, campaigns, and
1-20 lobbying, including certain functions and procedures of the Texas
1-21 Ethics Commission.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 254.0313, Election Code, is amended to
1-24 read as follows:

1-25 Sec. 254.0313. OMISSION OF ADDRESS FOR JUDGE AND SPOUSE.
1-26 [~~(a) In this section, "federal judge" and "state judge" have the~~
1-27 ~~meanings assigned by Section 13.0021.~~

1-28 [~~(b)~~] On receiving notice from the Office of Court
1-29 Administration of the Texas Judicial System of a judge's
1-30 qualification for office or on receipt of a written request from a
1-31 federal judge, state judge, or spouse of a federal or state judge,
1-32 the commission shall remove or redact the residence address of a
1-33 federal judge, a state judge, or the spouse of a federal or state
1-34 judge from any report filed by the judge in the judge's capacity or
1-35 made available on the Internet under this chapter.

1-36 SECTION 2. Sections 254.036(a) and (b), Election Code, are
1-37 amended to read as follows:

1-38 (a) Each report filed under this chapter with an authority
1-39 other than the commission must be in a format prescribed by the
1-40 commission. A report filed with the commission that is not
1-41 required to be filed electronically [~~by computer diskette, modem,~~
1-42 ~~or other means of electronic transfer~~] must be on a form prescribed
1-43 by the commission and typed or written in black or blue ink [~~or~~
1-44 ~~typed with black typewriter ribbon or, if the report is a computer~~
1-45 ~~printout, the printout must conform to the same format and paper~~
1-46 ~~size as the form prescribed by the commission~~].

1-47 (b) Except as provided by Subsection (c) or (e), each report
1-48 filed under this chapter with the commission must be filed
1-49 electronically [~~by computer diskette, modem, or other means of~~
1-50 ~~electronic transfer~~], using computer software provided by the
1-51 commission or computer software that meets commission
1-52 specifications for a standard file format.

1-53 SECTION 3. Section 255.001(b), Election Code, is amended to
1-54 read as follows:

1-55 (b) Political advertising that is authorized by a
1-56 candidate [~~, an agent of a candidate,~~] or a political committee
1-57 filing reports under this title, or an agent of a candidate or
1-58 political committee filing reports under this title, shall be
1-59 deemed to contain express advocacy.

1-60 SECTION 4. (a) Section 305.024(a), Government Code, as
1-61 amended by Chapter 206 (H.B. 1508), Acts of the 79th Legislature,

2-1 Regular Session, 2005, is reenacted to read as follows:

2-2 (a) Except as provided by Section 305.025, a person
 2-3 registered under Section 305.005 or a person on the registrant's
 2-4 behalf and with the registrant's consent or ratification may not
 2-5 offer, confer, or agree to confer to a member of the legislative or
 2-6 executive branch:

2-7 (1) a loan, including the guarantee or endorsement of
 2-8 a loan;

2-9 (2) a gift of cash or a negotiable instrument as
 2-10 described by Section 3.104, Business & Commerce Code;

2-11 (3) an expenditure for transportation and lodging;

2-12 (4) an expenditure or series of expenditures for
 2-13 entertainment that in the aggregate exceed \$500 in a calendar year;

2-14 (5) an expenditure or series of expenditures for gifts
 2-15 that in the aggregate exceed \$500 in a calendar year;

2-16 (6) an expenditure for an award or memento that
 2-17 exceeds \$500; or

2-18 (7) an expenditure described by
 2-19 Section 305.006(b)(1), (2), (3), or (6) unless:

2-20 (A) the registrant is present at the event; or

2-21 (B) the expenditure is for a gift of food or
 2-22 beverages required to be reported under Section 305.006(b)(4) in
 2-23 accordance with Section 305.0061(e-1).

2-24 (b) Section 2, Chapter 92 (S.B. 1011), Acts of the 79th
 2-25 Legislature, Regular Session, 2005, is repealed.

2-26 SECTION 5. Section 571.1223, Government Code, is amended to
 2-27 read as follows:

2-28 Sec. 571.1223. DISMISSAL OF COMPLAINT FOLLOWING CORRECTED
 2-29 OR AMENDED STATEMENT, REGISTRATION, OR REPORT. At any stage of a
 2-30 proceeding under this subchapter, the commission shall dismiss a
 2-31 complaint to the extent the complaint alleges a statement,
 2-32 registration, or report violates a law or rule if:

2-33 (1) the respondent has filed a corrected or amended
 2-34 statement, registration, or report before the commission accepts
 2-35 jurisdiction over the complaint; ~~and~~

2-36 (2) the corrected or amended statement, registration,
 2-37 or report remedies the alleged violation; and

2-38 (3) the respondent files with the correction or
 2-39 amendment an affidavit stating that any error or omission in the
 2-40 statement, registration, or report as originally filed was made in
 2-41 good faith.

2-42 SECTION 6. Sections 572.030(b) and (c), Government Code,
 2-43 are amended to read as follows:

2-44 (b) The commission shall notify ~~mail to~~ each individual
 2-45 required to file under this subchapter of ~~a notice that~~:

2-46 (1) the requirement ~~states~~ that the individual ~~is~~
 2-47 ~~required to~~ file a financial statement under this subchapter;

2-48 (2) ~~identifies~~ the filing dates for the financial
 2-49 statement as provided by Sections 572.026 and 572.027; and

2-50 (3) ~~describes~~ the manner in which the individual may
 2-51 access instructions for filing financial statements and
 2-52 electronically file the financial statement on ~~obtain the~~
 2-53 ~~financial statement forms and instructions from~~ the commission's
 2-54 Internet website~~;~~

2-55 ~~[(4) states that on request of the individual, the~~
 2-56 ~~commission will mail to the individual a copy of the financial~~
 2-57 ~~statement forms and instructions; and~~

2-58 ~~[(5) states, if applicable, the fee for mailing the~~
 2-59 ~~forms and instructions and the manner in which the individual may~~
 2-60 ~~pay the fee].~~

2-61 (c) Except as provided by commission rule, the ~~The~~ notice
 2-62 required by Subsection (b) must be provided ~~mailed~~:

2-63 (1) before the 30th day before the deadline for filing
 2-64 the financial statement under Section 572.026(a) or (c), except as
 2-65 otherwise provided by this subsection;

2-66 (2) not later than the 15th day after the applicable
 2-67 deadline for filing an application for a place on the ballot or a
 2-68 declaration of write-in candidacy for candidates required to file
 2-69 under Section 572.027(a), (b), or (c);

3-1 (3) not later than the seventh day after the date of
3-2 appointment for individuals required to file under Section
3-3 572.026(b), or if the legislature is in session, sooner if
3-4 possible; and

3-5 (4) not later than the fifth day after the date the
3-6 certificate of nomination is filed for candidates required to file
3-7 under Section 572.027(d) [~~574.027(d)~~].

3-8 SECTION 7. (a) Section 572.032(a-1), Government Code, as
3-9 amended by Chapter 983 (H.B. 776), Acts of the 85th Legislature,
3-10 Regular Session, 2017, is reenacted to read as follows:

3-11 (a-1) The commission shall remove the home address, the
3-12 telephone number, and the names of the dependent children of an
3-13 individual from a financial statement filed by the individual under
3-14 this subchapter before:

3-15 (1) permitting a member of the public to view the
3-16 statement;

3-17 (2) providing a copy of the statement to a member of
3-18 the public; or

3-19 (3) making the statement available to the public on
3-20 the commission's Internet website, if the commission makes
3-21 statements filed under this subchapter available on its website.

3-22 (b) Section 15, Chapter 34 (S.B. 1576), Acts of the 85th
3-23 Legislature, Regular Session, 2017, is repealed.

3-24 SECTION 8. The following provisions of the Government Code
3-25 are repealed:

3-26 (1) Section 571.122(b-1), as added by Chapter 604
3-27 (H.B. 677), Acts of the 81st Legislature, Regular Session, 2009;
3-28 and

3-29 (2) Sections 572.030(d) and (e).

3-30 SECTION 9. Section 305.024(a), Government Code, as
3-31 reenacted by this Act, applies only to a loan, gift, or expenditure
3-32 offered, conferred, or agreed to be conferred on or after the
3-33 effective date of this Act. A loan, gift, or expenditure offered,
3-34 conferred, or agreed to be conferred before the effective date of
3-35 this Act is governed by the law in effect on the date the loan, gift,
3-36 or expenditure was offered, conferred, or agreed to be conferred,
3-37 and the former law is continued in effect for that purpose.

3-38 SECTION 10. Section 255.001(b), Election Code, as amended
3-39 by this Act, applies only to political advertising that is
3-40 published, distributed, or broadcast on or after the effective date
3-41 of this Act. The publication, distribution, or broadcasting of
3-42 political advertising before the effective date of this Act is
3-43 governed by the law in effect on the date the advertising was
3-44 published, distributed, or broadcast, and the former law is
3-45 continued in effect for that purpose.

3-46 SECTION 11. The repeal by this Act of Section 571.122(b-1),
3-47 Government Code, as added by Chapter 604 (H.B. 677), Acts of the
3-48 81st Legislature, Regular Session, 2009, applies only to a
3-49 complaint filed under Chapter 571, Government Code, on or after the
3-50 effective date of this Act. A complaint filed before the effective
3-51 date of this Act is governed by the law in effect on the date the
3-52 complaint was filed, and the former law is continued in effect for
3-53 that purpose.

3-54 SECTION 12. This Act takes effect September 1, 2021.

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