

## **BILL ANALYSIS**

Senate Research Center

S.B. 346  
By: Seliger; Nichols  
State Affairs  
7/16/2013  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 346 amends current law relating to reporting requirements of certain persons who do not meet the definition of political committee.

### **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 254.261, Election Code, by adding Subsection (e) to provide that this section (Direct Campaign Expenditures Exceeding \$100) does not apply to a person to whom Subchapter K applies.

SECTION 2. Amends Chapter 254, Election Code, by adding Subchapter K, as follows:

#### **SUBCHAPTER K. REPORTING BY CERTAIN PERSONS WHO DO NOT MEET THE DEFINITION OF POLITICAL COMMITTEE**

Sec. 254.281. **APPLICABILITY OF SUBCHAPTER.** (a) Provides that this subchapter applies only to a person or a group of persons that:

(1) does not meet the definition of political committee under Section 251.001(12) (defining "political committee");

(2) accepts political contributions as described by Subsection (c); and

(3) makes one or more political expenditures, excluding expenditures authorized by Section 253.098 (Communication With Stockholders or Members), 253.099 (Nonpartisan Voter Registration and Get-Out-The-Vote Campaigns), 253.100 (Expenditures for General-Purpose Committee), and 253.104 (Contribution to Political Party), that in the aggregate exceed \$25,000 during a calendar year.

(b) Provides that this subchapter does not apply to a labor organization or any subordinate entity or associated account of a labor organization.

(c) Provides that a person or group of persons accepts political contributions if its members or donors make a payment, including dues, to the person or group of persons and, at the time of making the payments, the members or donors have reason to know that their payments are authorized to be used to make political contributions or political expenditures or are authorized to be commingled with other funds used to make political contributions or political expenditures.

Sec. 254.282. **REPORTING REQUIREMENTS.** (a) Requires a person or group of persons, except as otherwise provided by this subchapter, to comply with this chapter as if the person or group of persons were the campaign treasurer of a general-purpose

committee that does not file monthly reports under Section 254.155 (Option to File Monthly; Notice).

(b) Provides that a person or group of persons is not required to file a campaign treasurer appointment for making expenditures or contributions for which reporting is required under this section unless the person is otherwise required to file a campaign treasurer appointment under this title.

(c) Provides that a person or group of persons is not required to file a report under this subchapter if the person or group of persons is required to disclose the expenditure or contribution in another report required under this title within the time applicable under this section for reporting the expenditure or contribution or no reportable activity occurs during the reporting period.

Sec. 254.283. CONTENTS OF REPORT. (a) Provides that itemization of a contribution under Section 254.031(a)(1) (relating to reports including the amount of political contributions from each person that in the aggregate exceed \$50 and that are accepted during the reporting period by the person required to file a report) is required only if the contribution exceeds \$1,000 during the reporting period.

(b) Requires that the first report required to be filed in a calendar year in which the \$25,000 threshold under Section 254.281(a)(3) is exceeded include all political contributions accepted and all political expenditures made in that calendar year.

SECTION 3. Effective date: upon passage or September 1, 2013.