

BILL ANALYSIS

C.S.H.B. 505
By: Geren
General Investigating & Ethics
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties are concerned that there is no prohibition against elected officials using their campaign donations for certain political expenditures immediately following their retirement from public office. C.S.H.B. 505 seeks to provide such a prohibition.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 505 amends the Government Code to prohibit a person required to register under statutory provisions relating to lobbyist registration from knowingly making or authorizing, before the second anniversary of the date the last term for which the person was elected ends, a political expenditure that is a political contribution to a candidate, officeholder, or political committee from political contributions accepted by the person as a candidate or officeholder. The bill applies to an expenditure made on or after January 8, 2019, from funds accepted as a political contribution, regardless of the date the funds were accepted.

EFFECTIVE DATE

January 8, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 505 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 305, Government Code, is amended by adding Section 305.029 to read as follows:
Sec. 305.029. EXPENDITURES FROM POLITICAL CONTRIBUTIONS

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RESTRICTED. (a) In this section, "political contribution" has the meaning assigned by Section 251.001, Election Code.

(b) Notwithstanding any other provision of law, a person required to register under this chapter may not, before the second anniversary of the date the last term for which the person was elected ends, knowingly make or authorize an expenditure under this chapter from political contributions accepted by the person as a candidate or officeholder.

SECTION 2. Section 305.029, Government Code, as added by this Act, applies to a political contribution, political expenditure, or lobbying expenditure made on or after January 8, 2019, from funds accepted as a political contribution, regardless of the date the funds were accepted.

SECTION 3. This Act takes effect January 8, 2019.

RESTRICTED. (a) In this section, "political contribution," "political committee," and "political expenditure" have the meanings assigned by Section 251.001, Election Code.

(b) Notwithstanding any other provision of law, a person required to register under this chapter may not, before the second anniversary of the date the last term for which the person was elected ends, knowingly make or authorize, from political contributions accepted by the person as a candidate or officeholder, a political expenditure that is a political contribution to a candidate, officeholder, or political committee.

SECTION 2. Section 305.029, Government Code, as added by this Act, applies to an expenditure made on or after January 8, 2019, from funds accepted as a political contribution, regardless of the date the funds were accepted.

SECTION 3. Same as introduced version.