

BILL ANALYSIS

Senate Research Center
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S.B. 1195
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law does not prohibit the use of a legislator's campaign contributions to buy a gift for another legislator. Such an action provides potential means for campaign contributions to be used to enrich a legislator other than the original recipient of the campaign contribution. Campaign contributions may also be used to rent or lease real estate in the Capitol area, including renting or leasing real estate from a legislator's spouse.

As proposed, S.B. 1195 prohibits a legislator from knowingly using political contributions for a gift to certain elected state officials and prohibits the payment of rent and other expenses for a personal residence, including a residence in Travis County or a surrounding county, by a legislator who does not ordinarily reside in that county using such funds. This bill provides criminal penalties for such violations.

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 253.035(d), Election Code, to redefine "personal use."

SECTION 2. Amends Subchapter B, Chapter 253, Election Code, by adding Section 253.046, as follows:

Sec. 253.046. USE OF POLITICAL CONTRIBUTIONS FOR CERTAIN GIFTS PROHIBITED. (a) Prohibits state representatives and senators from knowingly making an expenditure from funds received as a political contribution if said expenditure is for a gift to certain elected officials.

(b) Provides that a person who violates this section commits a Class A misdemeanor.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.