

PAC Treasurer

The 80th Texas Legislature enacted several changes to laws under the jurisdiction of the Texas Ethics Commission. The following apply to General Purpose Committees and were effective September 1, 2007. Club presidents; please pass this information on to your PAC treasurers.

HB 89 provides that the Texas Ethics Commission may not impose a civil penalty for a reporting violation if the report in question shows that the general purpose political committee: 1) did not accept political contributions totaling \$3,000 or more, 2) did not accept political contributions from a single person totaling \$1,000 or more, or 3) did not make or authorize political expenditures totaling \$3,000 or more during the reporting period covered by the report or during either of the two reporting periods preceding the report.

HB 1381 requires that a report due 30 days before an election and a report due 8 days before an election (including a runoff election must be received by the report due date. These pre-election reports are no longer considered timely filed if they are mailed by the due date, but rather must be received by the due date.

HB 2195 applies to all reports filed electronically with the Commission. The bill changes the deadline for filing an electronic report from 5 p.m. to midnight on the day the report is due.

HB 2589 applies to all reports filed with the Commission. It provides that a report (other than a report due 8 days before an election or a special report near an election) is not considered late for purposes of a civil penalty if the filer files an affidavit of good faith and a corrected or amended report not later than 14 business days after the filer learns of the error or omission. A report due 8 days before an election is not considered late if the Commission determines the report as originally filed substantially complies with the law and the filer files an affidavit of good faith and a corrected report not later than 14 business days after the filer learns of the error or omission. These provisions do not apply to a special report near an election. The Commission may still impose a penalty on corrected reports covered by the bill through the sworn complaint process and through the audit process.

SB 64 requires a PAC to file a special report near an election (formerly telegram report) if the committee accepts political contributions from a person that in the aggregate exceed \$5,000 during the reporting period. It extends the reporting period during which a special report near election is required to end at noon on the day before the election, rather than the second day before the election.

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