

1 AN ACT

2 relating to the period during which a judicial candidate or
3 officeholder may accept political contributions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 253.153(a) and (b), Election Code, are
6 amended to read as follows:

7 (a) A judicial candidate or officeholder, a
8 specific-purpose committee for supporting or opposing a judicial
9 candidate, or a specific-purpose committee for assisting a judicial
10 officeholder may not knowingly accept a political contribution
11 except during the period:

12 (1) beginning on:

13 (A) the 210th day before the date an application
14 for a place on the ballot or for nomination by convention for the
15 office is required to be filed, if the election is for a full term;
16 or

17 (B) the later of the 210th day before the date an
18 application for a place on the ballot or for nomination by
19 convention for the office is required to be filed or the date a
20 vacancy in the office occurs, if the election is for an unexpired
21 term; and

22 (2) ending on the 120th day after the date of[+]

23 [~~(A)~~] the [~~general~~] election in which the
24 candidate or officeholder last appeared on the ballot, regardless

1 of whether the candidate or officeholder has an opponent in that
2 election [~~for state and county officers, if the candidate or~~
3 ~~officeholder has an opponent in the general election,~~

4 [~~(B) except as provided by Subsection (c), the~~
5 ~~runoff primary election, if the candidate or officeholder is a~~
6 ~~candidate in the runoff primary election and does not have an~~
7 ~~opponent in the general election, or~~

8 [~~(C) except as provided by Subsection (c), the~~
9 ~~general primary election, if the candidate or officeholder is not a~~
10 ~~candidate in the runoff primary election and does not have an~~
11 ~~opponent in the general election)].~~

12 (b) Subsection (a)(2) does not apply to a political
13 contribution that was made and accepted with the intent that it be
14 used to defray expenses incurred in connection with an election,
15 including the repayment of any debt that is:

16 (1) incurred directly by the making of a campaign
17 expenditure during the period beginning on the date the application
18 for a place on the ballot or for nomination by convention was
19 required to be filed for the election in which the candidate last
20 appeared on the ballot and ending on the date of that election; and

21 (2) subject to the restrictions prescribed by Sections
22 253.162 and 253.1621 [~~contest~~].

23 SECTION 2. Section 253.153(c), Election Code, is repealed.

24 SECTION 3. Section 253.153, Election Code, as amended by
25 this Act, applies only to a political contribution accepted on or
26 after September 1, 2009. A political contribution accepted before
27 September 1, 2009, is governed by the law in effect at the time the

H.B. No. 4060

1 contribution was accepted.

2 SECTION 4. This Act takes effect September 1, 2009.

David Newkirk

President of the Senate

Jim Strawn

Speaker of the House

I certify that H.B. No. 4060 was passed by the House on April 30, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4060 on May 29, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 4060 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Latsig Saw

Secretary of the Senate

APPROVED: 19 JUN '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2pm O'CLOCK

JUN 19 2009

Colby Shuter, III