

By: Bettencourt, Hall
Paxton

S.B. No. 1879

A BILL TO BE ENTITLED

AN ACT

relating to the authorization and reporting of expenditures for lobbying activities by certain political subdivisions and other public entities.

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

SECTION 1. Chapter 140, Local Government Code, is amended by adding Section 140.013 to read as follows:

Sec. 140.013. EXPENDITURES FOR LOBBYING ACTIVITIES. (a)

This section applies only to a:

(1) political subdivision that imposes a tax;

(2) political subdivision or special district that has the authority to issue bonds, including revenue bonds;

(3) regional mobility authority;

(4) transit authority;

(5) regional tollway authority;

(6) special purpose district;

(7) public institution of higher education;

(8) community college district;

(9) publicly owned utility; and

(10) river authority.

(b) A political subdivision or other entity to which this section applies may spend money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature only if the expenditure is authorized by a

1 majority vote of the governing body of the political subdivision or
2 entity in an open meeting of the governing body. The expenditure
3 must be voted on by the governing body as a stand-alone item on the
4 agenda at the meeting.

5 (c) A political subdivision or other entity to which this
6 section applies shall report to the Texas Ethics Commission and
7 publish on the political subdivision's or entity's Internet
8 website:

9 (1) the amount of money authorized under Subsection
10 (b) for the purpose of directly or indirectly influencing or
11 attempting to influence the outcome of any legislation pending
12 before the legislature;

13 (2) the name of any person required to register under
14 Chapter 305, Government Code, retained or employed by or on behalf
15 of the political subdivision or entity for the purpose described by
16 Subdivision (1); and

17 (3) an electronic copy of any contract for services
18 for the purpose described by Subdivision (1) that is entered into by
19 the political subdivision or entity, or by a person on behalf of the
20 political subdivision or entity, with each person listed under
21 Subdivision (2).

22 (d) In addition to the requirements of Subsection (c), a
23 political subdivision or other entity to which this section applies
24 shall report to the Texas Ethics Commission and publish on the
25 political subdivision's or entity's Internet website the amount of
26 public money spent for membership fees and dues of any nonprofit
27 state association or organization of similarly situated political

1 subdivisions or entities that directly or indirectly influences or
2 attempts to influence the outcome of any legislation pending before
3 the legislature.

4 (e) The Texas Ethics Commission shall make available to the
5 public an easily searchable database on the commission's Internet
6 website containing the reports submitted to the commission under
7 Subsection (c).

8 (f) If a political subdivision or other entity to which this
9 section applies does not comply with the requirements of this
10 section, an interested party is entitled to appropriate injunctive
11 relief to prevent further activity in violation of this section.
12 For purposes of this subsection, "interested party" means a person
13 who:

14 (1) is a taxpayer of the political subdivision or
15 entity; or

16 (2) is served by or receives services from the
17 political subdivision or entity.

18 (g) This section does not prevent an officer or employee of
19 a political subdivision or other entity to which this section
20 applies from advocating for or against or otherwise influencing or
21 attempting to influence the outcome of legislation pending before
22 the legislature.

23 SECTION 2. The Texas Ethics Commission is required to
24 implement the change in law made by Section 140.013(e), Local
25 Government Code, as added by this Act, only if the legislature
26 appropriates money specifically for that purpose. If the
27 legislature does not appropriate money specifically for that

1 purpose, the Texas Ethics Commission may, but is not required to,
2 implement that change in law using other appropriations available
3 for the purpose.

4 SECTION 3. This Act takes effect September 1, 2021.