

By: Harrison

H.B. No. 2691

A BILL TO BE ENTITLED

AN ACT

relating to prohibitions on lobbyists making certain expenditures and gifts to public servants.

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

SECTION 1. Section 36.10(a), Penal Code, is amended to read as follows:

(a) Sections 36.08 (Gift to Public Servant) and 36.09 (Offering Gift to Public Servant) do not apply to:

(1) a fee prescribed by law to be received by a public servant or any other benefit to which the public servant is lawfully entitled or for which he gives legitimate consideration in a capacity other than as a public servant;

(2) a gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient;

(3) a benefit to a public servant required to file a statement under Chapter 572, Government Code, or a report under Title 15, Election Code, that is derived from a function in honor or appreciation of the recipient if:

(A) the benefit and the source of any benefit in excess of \$50 is reported in the statement; and

(B) the benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state

or political subdivision;

(4) a political contribution as defined by Title 15, Election Code;

~~(5) [a gift, award, or memento to a member of the legislative or executive branch that is required to be reported under Chapter 305, Government Code];~~

~~(6)~~ an item with a value of less than \$50, excluding cash or a negotiable instrument as described by Section 3.104, Business & Commerce Code;

(6) ~~(7)~~ an item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity;

(7) ~~(8)~~ transportation, lodging, and meals described by Section 36.07(b); or

(8) ~~(9)~~ complimentary legal advice or legal services relating to a will, power of attorney, advance directive, or other estate planning document rendered:

(A) to a public servant who is a first responder; and

(B) through a program or clinic that is:

(i) operated by a local bar association or the State Bar of Texas; and

(ii) approved by the head of the agency employing the public servant, if the public servant is employed by an agency.

SECTION 2. Section 305.024(a), Government Code, as amended by Chapters 92 (S.B. 1011) and 206 (H.B. 1508), Acts of the 79th

1 Legislature, Regular Session, 2005, is reenacted and amended to
2 read as follows:

3 (a) Except as provided by Section 305.025, a person
4 registered under Section 305.005 or a person on the registrant's
5 behalf and with the registrant's consent or ratification may not
6 offer, confer, or agree to confer:

7 (1) to an individual described by Section
8 305.0062(a)(1), (2), (3), (4), or (5):

9 (A) a loan, including the guarantee or
10 endorsement of a loan; or

11 (B) a gift of cash or a negotiable instrument as
12 described by Section 3.104, Business & Commerce Code; or

13 (2) to an individual described by Section
14 305.0062(a)(1), (2), (3), (4), (5), (6), or (7):

15 (A) an expenditure for transportation and
16 lodging;

17 (B) a ~~[an expenditure or]~~ series of expenditures
18 for entertainment that in the aggregate exceed \$500 in a calendar
19 year;

20 (C) a ~~[an expenditure or]~~ series of expenditures
21 for gifts that in the aggregate exceed \$500 in a calendar year;

22 (D) an expenditure for an award or memento that
23 exceeds \$50 ~~[\$500]~~; or

24 (E) an expenditure described by Section
25 305.006(b)(2) ~~[305.006(b)(1), (2), (3),]~~ or (6), unless ~~[+~~

26 ~~[-A-]~~ the expenditure does not exceed \$50

27 ~~[registrant is present at the event, or~~

1 ~~[(B) the expenditure is for a gift of food~~
2 ~~or beverages required to be reported under Section 305.006(b)(4) in~~
3 ~~accordance with Section 305.0061(e-1)].~~

4 SECTION 3. Section 571.064(b), Government Code, is amended
5 to read as follows:

6 (b) If a law, other than a law providing an expenditure
7 limit for a person required to register under Chapter 305,
8 administered and enforced by the commission sets dollar amounts or
9 categories of amounts as reporting thresholds or if the commission
10 sets those amounts, the commission annually shall adjust those
11 thresholds upward to the nearest multiple of \$10 in accordance with
12 the percentage increase for the previous year in the Consumer Price
13 Index for Urban Consumers published by the Bureau of Labor
14 Statistics of the United States Department of Labor.

15 SECTION 4. Section 36.10, Penal Code, as amended by this
16 Act, applies only to an offense committed on or after the effective
17 date of this Act. An offense committed before the effective date of
18 this Act is governed by the law in effect on the date the offense was
19 committed, and the former law is continued in effect for that
20 purpose. For purposes of this section, an offense was committed
21 before the effective date of this Act if any element of the offense
22 occurred before that date.

23 SECTION 5. Section 305.024, Government Code, as amended by
24 this Act, applies only to an expenditure made on or after the
25 effective date of this Act. An expenditure made before the
26 effective date of this Act is governed by the law in effect on the
27 date the expenditure was made, and the former law is continued in

1 effect for that purpose.

2 SECTION 6. Section [571.064](#)(b), Government Code, as amended
3 by this Act, applies to an adjustment made by the Texas Ethics
4 Commission under that subsection before the effective date of this
5 Act. The commission shall adopt rules as necessary to reverse each
6 adjustment made under that subsection before the effective date of
7 this Act that would not have been made if the change in law made by
8 this Act had been in effect at the time of the adjustment.

9 SECTION 7. This Act takes effect September 1, 2025.