

## **BILL ANALYSIS**

S.B. 254  
By: Bivins  
State Affairs  
Committee Report (Amended)

### **BACKGROUND AND PURPOSE**

Under current law, legislators are permitted to represent another person, for compensation, before an executive branch agency under certain circumstances. Legislators are required to disclose such employment in filings with the Ethics Commission. However, some have criticized this practice as creating the potential for conflicts of interest. The purpose of Senate Bill 254 is to prohibit legislators from representing another person for compensation before a state agency in the executive branch unless the representation involves the filing of documents.

### **RULEMAKING AUTHORITY**

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Senate Bill 254 amends Section 572.052(a) of the Government Code to prohibit a member of the legislature from representing another person for compensation before a state agency in the executive branch of the state unless the representation involves the filing of documents. The bill also repeals Section 572.025 of the Government Code, which requires members of the legislature to disclose such compensation on their financial statements. The bill makes a conforming amendment to Section 572.021 of the Government Code, consistent with the purposes of the Act.

### **EFFECTIVE DATE**

September 1, 2003. The Act applies only to representation before an executive state agency for which a member of the legislature is hired on or after September 1, 2003.

### **EXPLANATION OF AMENDMENTS**

Committee Amendment No. 1 provides that a member of the legislature may not, for compensation, represent another person before a state agency in the executive branch of state government unless the representation is pursuant to an attorney-client relationship in a criminal law matter. The amendment strikes the provision in the original authorizing such representation in connection with the filing of documents.

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