

By: Bivins, Wentworth

S.B. No. 254

A BILL TO BE ENTITLED

AN ACT

1
2 relating to representation of a person for compensation before an
3 executive state agency by a member of the legislature.

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

5 SECTION 1. Subsection (a), Section 572.052, Government
6 Code, is amended to read as follows:

7 (a) A member of the legislature may not, for compensation,
8 represent another person before a state agency in the executive
9 branch of state government unless[+]

10 [~~(1)~~] the representation[+]

11 [~~(A) is made in a proceeding that is adversary in~~
12 ~~nature or in another public hearing that is a matter of record, or~~

13 [~~(B)~~] involves the filing of documents[+]
14 ~~contacts with the agency, or other relations, that involve only~~
15 ~~ministerial acts on the part of the commission, agency, board,~~
16 ~~department, or officer, and~~

17 [~~(2) the member discloses to the agency that the~~
18 ~~member is being compensated for the representation].~~

19 SECTION 2. Section 572.021, Government Code, is amended to
20 read as follows:

21 Sec. 572.021. FINANCIAL STATEMENT REQUIRED. A state
22 officer, a partisan or independent candidate for an office as an
23 elected officer, and a party chairman shall file with the
24 commission a verified financial statement complying with Sections

1 572.022 through 572.024 [~~572.025~~].

2 SECTION 3. Section 572.025, Government Code, is repealed.

3 SECTION 4. This Act applies only to representation before
4 an executive state agency for which a member of the legislature is
5 hired on or after September 1, 2003. Representation for which a
6 member of the legislature was hired before September 1, 2003, and
7 the reporting of that registration are governed by the law in effect
8 at the time the member was hired, and that law is continued in
9 effect for that purpose.

10 SECTION 5. This Act takes effect September 1, 2003.

COMMITTEE AMENDMENT NO. 1

Amend S.B. No. 254 (Senate engrossment) in SECTION 1 of the bill, on page 1, line 10 through 18, by striking all language after "unless", and substituting "the representation is pursuant to an attorney-client relationship in a criminal law matter[+]

~~[(1) the representation:~~

~~[(A) is made in a proceeding that is adversary in nature or in another public hearing that is a matter of record, or~~

~~[(B) involves the filing of documents, contacts with the agency, or other relations, that involve only ministerial acts on the part of the commission, agency, board, department, or officer; and~~

~~[(2) the member discloses to the agency that the member is being compensated for the representation]."~~

Marchant