

BILL ANALYSIS

C.S.H.B. 1942
By: Swinford
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the expenditures of registered lobbyists are limited to certain individuals and certain types of expenses. For instance, lobbyists can report expenditures made for the spouse or child of a state official. However, there is not an official category for reporting expenditures for a guest. Lobbyists are unclear as to how they should report such expenses and often just report them as expenses for the state official. Additionally, lobbyists are prohibited from providing food and entertainment for officials who speak at conferences, even though they are permitted to pay for the official's travel and lodging to the conference. Likewise, expenditures for transportation and lodging are prohibited unless the member renders services at this event or unless the trip is a fact-finding one. CSHB 1942 attempts to clarify the regulations governing lobbyist expenditures and how these expenditures are reported.

RULEMAKING AUTHORITY

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

ANALYSIS

CSHB 1942 modifies the Government Code by adding a category for guests, when invited by an individual falling under an existing reportable category, to the list of categories that lobbyists must use for reporting expenditures.

The bill modifies the list of exceptions to prohibitions on lobbyist expenditures. The bill clarifies that expenditures for transportation and lodging made in connection with a fact-finding trip include attendance at informational conferences, seminars, educational programs, and similar events. The bill also adds expenditures for food, beverages, and entertainment to the permitted expenditures made in connection with attendance at a conference, seminar, educational program, or similar event in which the member renders services.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by adding a category for guests, rather than categories for non-dependent children of and guests invited by specified individuals, to the list of categories for reporting expenditures. The substitute modifies the original by allowing expenditures for entertainment, rather than only for incidental entertainment. The substitute also modifies the original by removing provisions modifying Penal Code provisions which prohibit acceptance of an honorarium.