

By: Harris

S.B. No. 1009

A BILL TO BE ENTITLED

AN ACT

relating to reporting of expenditures by persons registered as lobbyists.

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

SECTION 1. Subsection (f), Section 305.006, Government Code, is amended to read as follows:

(f) An expenditure described by Subsection (b)(1), (2), (3), or (6) may not be made or accepted unless the registrant is present at the event. This subsection does not apply to a gift of food or beverages required to be reported under Subsection (b)(4) in accordance with Section 305.0061(e-1).

SECTION 2. Section 305.0061, Government Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) If a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes an expenditure for food or beverages with a value of \$50 or less intended as a gift for a member of the legislative or executive branch and delivered by first-class United States mail or by common or contract carrier outside the Capitol Complex, the expenditure is considered to be a gift and should be reported under Section 305.006(b)(4).

SECTION 3. Subsection (a), Section 305.007, Government Code, is amended to read as follows:

(a) The registrant must file the report required by Section

1 305.006 between the 1st and 10th day of each month. Subject to
2 Section 305.0071, the ~~[The]~~ report must cover the activities
3 occurring during the previous month.

4 SECTION 4. Subchapter A, Chapter 305, Government Code, is
5 amended by adding Section 305.0071 to read as follows:

6 Sec. 305.0071. INCLUSION OF EXPENDITURE IN REPORT.

7 (a) Except as provided by this section:

8 (1) an expenditure is not required to be included in a
9 report under Section 305.006 for a month before the month in which
10 the amount is readily determinable by the person making the
11 expenditure; and

12 (2) an expenditure is not required to be included in a
13 report under Section 305.0063 for a calendar year before the year in
14 which the amount is readily determinable by the person making the
15 expenditure.

16 (b) An expenditure that is of a character for which, under
17 normal business practice, the amount is not disclosed until receipt
18 of a periodic bill must be included in the report for the reporting
19 period in which the bill is received.

20 (c) The amount of an expenditure made by credit card must be
21 included in the report for the reporting period in which:

22 (1) the expenditure is made; or

23 (2) the person receives the credit card statement that
24 includes the expenditure.

25 SECTION 5. Subsection (a), Section 305.024, Government
26 Code, is amended to read as follows:

27 (a) Except as provided by Section 305.025, a person

1 registered under Section 305.005 or a person on the registrant's
2 behalf and with the registrant's consent or ratification may not
3 offer, confer, or agree to confer to a member of the legislative or
4 executive branch:

5 (1) a loan, including the guarantee or endorsement of
6 a loan;

7 (2) a gift of cash or a negotiable instrument as
8 described by Section 3.104, Business & Commerce Code;

9 (3) an expenditure for transportation and lodging;

10 (4) an expenditure or series of expenditures for
11 entertainment that in the aggregate exceed \$500 in a calendar year;

12 (5) an expenditure or series of expenditures for gifts
13 that in the aggregate exceed \$500 in a calendar year;

14 (6) an expenditure for an award or memento that
15 exceeds \$500; or

16 (7) an expenditure described by Section
17 305.006(b)(1), (2), (3), or (6) unless:

18 (A) the registrant is present at the event; or

19 (B) the expenditure is for a gift of food or
20 beverages required to be reported under Section 305.006(b)(4) in
21 accordance with Section 305.0061(e-1).

22 SECTION 6. Sections 305.0061 and 305.007, Government Code,
23 as amended by this Act, and Section 305.0071, Government Code, as
24 added by this Act, apply only to a report required to be filed under
25 Section 305.006 or 305.0063, Government Code on or after
26 September 1, 2005. A report required to be filed under Section
27 305.006 or 305.0063, Government Code, before September 1, 2005, is

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1 governed by the law in effect at the time the report is required to
2 be filed, and the former law is continued in effect for that
3 purpose.

4 SECTION 7. This Act takes effect September 1, 2005.