

1-1 By: Harris S.B. No. 1009  
1-2 (In the Senate - Filed March 4, 2005; March 14, 2005, read  
1-3 first time and referred to Committee on Administration;  
1-4 April 22, 2005, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 22, 2005,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1009 By: Janek

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to reporting of expenditures by persons registered as  
1-11 lobbyists.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (f), Section 305.006, Government  
1-14 Code, is amended to read as follows:

1-15 (f) An expenditure described by Subsection (b)(1), (2),  
1-16 (3), or (6) may not be made or accepted unless the registrant is  
1-17 present at the event. This subsection does not apply to a gift of  
1-18 food or beverages required to be reported under Subsection (b)(4)  
1-19 in accordance with Section 305.0061(e-1).

1-20 SECTION 2. Section 305.0061, Government Code, is amended by  
1-21 adding Subsection (e-1) to read as follows:

1-22 (e-1) If a registrant or a person on the registrant's behalf  
1-23 and with the registrant's consent or ratification makes an  
1-24 expenditure for food or beverages with a value of \$50 or less  
1-25 intended as a gift for a member of the legislative or executive  
1-26 branch and delivered by first-class United States mail or by common  
1-27 or contract carrier outside the Capitol Complex, the expenditure is  
1-28 considered to be a gift and should be reported under Section  
1-29 305.006(b)(4).

1-30 SECTION 3. Subsection (a), Section 305.007, Government  
1-31 Code, is amended to read as follows:

1-32 (a) The registrant must file the report required by Section  
1-33 305.006 between the 1st and 10th day of each month. Subject to  
1-34 Section 305.0071, the [The] report must cover the activities  
1-35 occurring during the previous month.

1-36 SECTION 4. Subchapter A, Chapter 305, Government Code, is  
1-37 amended by adding Section 305.0071 to read as follows:

1-38 Sec. 305.0071. INCLUSION OF EXPENDITURE IN  
1-39 REPORT. (a) Except as provided by this section:

1-40 (1) an expenditure is not required to be included in a  
1-41 report under Section 305.006 for a month before the month in which  
1-42 the amount is readily determinable by the person making the  
1-43 expenditure; and

1-44 (2) an expenditure is not required to be included in a  
1-45 report under Section 305.0063 for a calendar year before the year in  
1-46 which the amount is readily determinable by the person making the  
1-47 expenditure.

1-48 (b) An expenditure that is of a character for which, under  
1-49 normal business practice, the amount is not disclosed until receipt  
1-50 of a periodic bill must be included in the report for the reporting  
1-51 period in which the bill is received.

1-52 (c) The amount of an expenditure made by credit card must be  
1-53 included in the report for the reporting period in which:

1-54 (1) the expenditure is made; or

1-55 (2) the person receives the credit card statement that  
1-56 includes the expenditure.

1-57 SECTION 5. Subsection (a), Section 305.024, Government  
1-58 Code, is amended to read as follows:

1-59 (a) Except as provided by Section 305.025, a person  
1-60 registered under Section 305.005 or a person on the registrant's  
1-61 behalf and with the registrant's consent or ratification may not  
1-62 offer, confer, or agree to confer to a member of the legislative or  
1-63 executive branch:

- (1) a loan, including the guarantee or endorsement of a loan;
- (2) a gift of cash or a negotiable instrument as described by Section 3.104, Business & Commerce Code;
- (3) an expenditure for transportation and lodging;
- (4) an expenditure or series of expenditures for entertainment that in the aggregate exceed \$500 in a calendar year;
- (5) an expenditure or series of expenditures for gifts that in the aggregate exceed \$500 in a calendar year;
- (6) an expenditure for an award or memento that exceeds \$500; or
- (7) an expenditure described by Section 305.006(b)(1), (2), (3), or (6) unless:
  - (A) the registrant is present at the event; or
  - (B) the expenditure is for a gift of food or beverages required to be reported under Section 305.006(b)(4) in accordance with Section 305.0061(e-1).

SECTION 6. Sections 305.0061 and 305.007, Government Code, as amended by this Act, and Section 305.0071, Government Code, as added by this Act, apply only to a report required to be filed under Section 305.006 or 305.0063, Government Code on or after September 1, 2005. A report required to be filed under Section 305.006 or 305.0063, Government Code, before September 1, 2005, is governed by the law in effect at the time the report is required to be filed, and the former law is continued in effect for that purpose.

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

\* \* \* \* \*