

1-1 By: Harris S.B. No. 1011  
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. 1011 By: Van de Putte

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

1-10  
1-11 relating to restrictions on and reporting of certain expenditures  
1-12 by registered lobbyists.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (a), Section 305.0062, Government  
1-15 Code, is amended to read as follows:

1-16 (a) The report filed under Section 305.006 must also contain  
1-17 the total expenditures described by Section 305.006(b) that are  
1-18 directly attributable to members of the legislative or executive  
1-19 branch. The expenditures must be stated in only one of the  
1-20 following categories:

- 1-21 (1) state senators;
- 1-22 (2) state representatives;
- 1-23 (3) elected or appointed state officers, other than  
1-24 those described by Subdivision (1) or (2);
- 1-25 (4) legislative agency employees;
- 1-26 (5) executive agency employees;
- 1-27 (6) the immediate family of a member of the  
1-28 legislative or executive branch; ~~and~~
- 1-29 (7) guests, when invited by an individual described by  
1-30 Subdivision (1), (2), (3), (4), or (5); and
- 1-31 (8) events to which all legislators are invited.

1-32 SECTION 2. Subsection (a), Section 305.024, Government  
1-33 Code, is amended to read as follows:

1-34 (a) Except as provided by Section 305.025, a person  
1-35 registered under Section 305.005 or a person on the registrant's  
1-36 behalf and with the registrant's consent or ratification may not  
1-37 offer, confer, or agree to confer:

1-38 (1) to an individual described by Section  
1-39 305.0062(a)(1), (2), (3), (4), or (5) [a member of the legislative  
1-40 or executive branch]:

1-41 (A) ~~[(1)]~~ a loan, including the guarantee or  
1-42 endorsement of a loan; or

1-43 (B) ~~[(2)]~~ a gift of cash or a negotiable  
1-44 instrument as described by Section 3.104, Business & Commerce Code;  
1-45 or

1-46 (2) to an individual described by Section  
1-47 305.0062(a)(1), (2), (3), (4), (5), (6), or (7):

1-48 (A) ~~[(3)]~~ an expenditure for transportation and  
1-49 lodging;

1-50 (B) ~~[(4)]~~ an expenditure or series of  
1-51 expenditures for entertainment that in the aggregate exceed \$500 in  
1-52 a calendar year;

1-53 (C) ~~[(5)]~~ an expenditure or series of  
1-54 expenditures for gifts that in the aggregate exceed \$500 in a  
1-55 calendar year;

1-56 (D) ~~[(6)]~~ an expenditure for an award or memento  
1-57 that exceeds \$500; or

1-58 (E) ~~[(7)]~~ an expenditure described by Section  
1-59 305.006(b)(1), (2), (3), or (6) unless the registrant is present at  
1-60 the event.

1-61 SECTION 3. Section 305.025, Government Code, is amended to  
1-62 read as follows:

1-63 Sec. 305.025. EXCEPTIONS. Section 305.024 does not

2-1 prohibit:

2-2 (1) a loan in the due course of business from a  
2-3 corporation or other business entity that is legally engaged in the  
2-4 business of lending money and that has conducted that business  
2-5 continuously for more than one year before the loan is made;

2-6 (2) a loan or guarantee of a loan or a gift made or  
2-7 given by a person related within the second degree by affinity or  
2-8 consanguinity to the member of the legislative or executive branch;

2-9 (3) necessary expenditures for transportation and  
2-10 lodging when the purpose of the travel is to explore matters  
2-11 directly related to the duties of a member of the legislative or  
2-12 executive branch, such as fact-finding trips, including attendance  
2-13 at informational conferences or an event described by Subdivision  
2-14 (4), but not including attendance at merely ceremonial events or  
2-15 pleasure trips;

2-16 (4) necessary expenditures for transportation, ~~[and]~~  
2-17 lodging, food and beverages, and entertainment provided in  
2-18 connection with a conference, seminar, educational program, or  
2-19 similar event in which the member renders services, such as  
2-20 addressing an audience or engaging in a seminar, to the extent that  
2-21 those services are more than merely perfunctory;

2-22 (5) an incidental expenditure for transportation as  
2-23 determined by commission rule; or

2-24 (6) a political contribution as defined by Section  
2-25 251.001, Election Code.

2-26 SECTION 4. Subsection (a), Section 305.0062, Subsection  
2-27 (a), Section 305.024, and Section 305.025, Government Code, as  
2-28 amended by this Act, apply only to an expenditure or the reporting  
2-29 of an expenditure made on or after September 1, 2005. An  
2-30 expenditure or the reporting of an expenditure made before  
2-31 September 1, 2005, is governed by the law in effect on the date the  
2-32 expenditure was made, and the former law is continued in effect for  
2-33 that purpose.

2-34 SECTION 5. (a) The change in law made by this Act applies  
2-35 only to an offense committed on or after September 1, 2005. For  
2-36 purposes of this section, an offense is committed before  
2-37 September 1, 2005, if any element of the offense occurs before that  
2-38 date.

2-39 (b) An offense committed before September 1, 2005, is  
2-40 covered by the law in effect when the offense was committed, and the  
2-41 former law is continued in effect for that purpose.

2-42 SECTION 6. This Act takes effect September 1, 2005.

2-43

\* \* \* \* \*