

By: Anchia

H.B. No. 3906

A BILL TO BE ENTITLED

1 AN ACT

2 relating to contingent fees paid to influence the purchase of goods  
3 or services by a state agency; imposing a penalty.

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

5 SECTION 1. Section 305.022, Government Code, is amended by  
6 amending Subsection (b) and adding Subsection (e) to read as  
7 follows:

8 (b) A person may not accept any employment or render any  
9 service to influence legislation or administrative action for  
10 compensation contingent on:

11 (1) the passage or defeat of any legislation;

12 (2) [7] the governor's approval or veto of any  
13 legislation; [7] or

14 (3) the outcome of any administrative action,  
15 including administrative action relating to the purchase of goods  
16 or services by a state agency or the selection of a provider of  
17 those goods or services.

18 (e) This section does not prohibit the payment of a sales  
19 commission or similar compensation to an employee of a vendor of a  
20 product or a provider of a service if:

21 (1) the purchase of the product or service is not  
22 subject to competitive bidding or competitive proposal  
23 requirements or the cost of the product or service otherwise does  
24 not exceed a maximum cost limit established by commission rule; or

1           (2) the product or service is on a state catalog or  
2 similar listing of prequalified products or services for purchase  
3 by a state agency.

4           SECTION 2. Section 305.022(c), Government Code, is  
5 repealed.

6           SECTION 3. The change in law made by this Act applies only  
7 to an offense committed on or after September 1, 2007. An offense  
8 committed before September 1, 2007, is covered by the law in effect  
9 when the offense was committed, and the former law is continued in  
10 effect for that purpose. For purposes of this section, an offense  
11 was committed before September 1, 2007, if any element of the  
12 offense was committed before that date.

13           SECTION 4. This Act takes effect September 1, 2007.